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## LOK SABHA

*Thursday, March 30, 1972/ Chaitra 10, 1894 (Saka)*

*The Lok Sabha met at Eleven of the Clock.*

[MR. SPEAKER *in the Chair*]

### ORAL ANSWERS TO QUESTIONS

### बंगला देश को पुनर्निर्माण तथा अन्य कार्यों के लिए सहायता

*201. श्री शिव कुमार शास्त्री.
श्री एस० एम० बनर्जी

क्या विदेश मंत्री यह बताने की कृपा करेंगे कि.

(क) क्या बंगला देश के मुक्ति संघर्ष के बाद वहां के पुनर्निर्माण तथा दूसरे कार्यों में सरकार का कोई सहायता देने का विचार है ; और

(ख) यदि हां, तो क्या इस निमित उन्हें अब तक कोई धनराशि दी गई है ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Government is rendering the maximum possible assistance for the reconstruction and development of Bangladesh.

(b) A statement is laid on the Table of the House.

STATEMENT

*Financial Assistance to Bangla Desh*

The following loans and grants have been anounced :—

*Immediate requirements :*

(i) A grant of Rs. 25 crores for the purchase of goods and services.

(ii) The supply on grant basis of 4,00,000 tons of wheat and 1,00,000 tons of rice valued at about Rs. 53.3 crores.

(iii) A loan, the terms and conditions of which are to be negotiated, for the purchase of two Fokker Friendship F. 27 Aircraft in the 200 series for the use of Bangladesh Biman. In addition, expenditure on ground and flying training for pilots of the Bangladesh Biman amounts to Rs. 1,79,000.

(iv) A loan, the terms and conditions of which are to be negotiated, for the supply of telecommunication stores, valued at about Rs. 30 lakhs.

(v) A foreign exchange loan of £5 million bearing a rate of interest of 2½% repayable in 15 years after an initial grace period of five years.

(vi) A grant of Rs. 18.58 crores representing an amount equivalent to the cash doles to be given by the Bangladesh Government to refugees on their return to Bangladesh.

(vii) Relief materials including 800 trucks. As on 4.3.1972, relief materials valued at Rs. 5.92 crores had been transferred.

(viii) Rs. 11,06,000 by way of expenditure incurred by the Posts and Telegraphs for supplies of telecommunication stores, installation of equipment, printing and stationery work, supply of materials required by the Bangladesh Posts & Telegraphs Department.

(ix) A gift of telecommunication stores worth Rs. 28,825 from the Directorate General, Civil Aviation.

This assistance is in addition to the civil reconstruction work done by the Indian armed forces and the assistance rendered by 28 officers of the CALO (Civil Affairs Liaison Office) who were attached to the Bangladesh Government. The expenditure on these two accounts is not yet known.

*Medium term assistance :*

(i) An interest-free loan of Rs. 10 crores repayable in 20 years after an initial grace period of five years for the rehabilitation of the Bangladesh railway system;

(ii) A loan, the terms and conditions of which are to be negotiated, for the purchase by the Bangladesh Shipping Corporation of two ships from India.

(iii) A suppliers' credit in foreign exchange for the purpose of purchasing crude oil to the amount of Rs. 8.1 crores repayable in five years at the rate of interest of 6¼% per annum.

श्री शिव कुमार शास्त्री : अध्यक्ष जी, मंत्री जी के वक्तव्य से यह जानकर प्रसन्नता हुई कि बंगला देश की मुक्ति के बाद ही उन्होंने अपना हाथ नहीं खींच लिया बल्कि उसको खड़ा करने के लिए अनुदान के रूप में और ऋण के रूप में अनेक प्रकार से सहायता करने को उद्यत हैं। मैं माननीय मन्त्री जी से जानना चाहता हूं क्या उन्होंने बंगला देश की सरकार से यह जानकारी प्राप्त की पिछले इस युद्ध में उनकी धन और जन के रूप में कुल कितनी क्षति हुई और उस क्षति में आप कितना ऋण के रूप में और कितना अनुदान के रूप में सहयोग देने के लिए उद्यत है ?

SHRI SWARAN SINGH : Sir, I have already placed on the Table of the House a statement giving details of loan assistance credit extended, foreign exchange and also the help by way of grants.

श्री शिव कुमार शास्त्री : मैं ने प्रश्न कुछ और पूछा है। मैं ने पूछा है कुल कितनी हानि उनकी हुई क्या यह जानकारी आपने ली है ? यदि आपने यह जानकारी प्राप्त कर ली है तो उसका कितना अंशदान आप ऋण के रूप में और सहायता के रूप में दे रहे है ?

SHRI SWARAN SINGH : It is not possible to give an estimate of the total loss suffered by Bangla Desh and the people of Bangla Desh. The loss is so great that perhaps it will not be possible to determine it in terms of money. For example, according to Sheikh Mujibur Rahman, 3 million lives have been lost; another 10 million became refugees and another 20 million became homeless. It is not possible to determine in terms of money the losses suffered by the people of Bangla Desh.

श्री शिव कुमार शास्त्री: दूसरी बात मैं आपसे यह जानना चाहता हूं कि आपकी प्रेरणा और रूस की प्रेरणा के फलस्वरूप संसार के अधिकांश देशों ने बंगला देश को मान्यता दे दी है और सहयोग देना भी प्रारम्भ कर दिया है तो शरणार्थियों की सहायता के नाम पर जो अतिरिक्त कर भारत मे लगाए गए है क्या उनको आप समाप्त कर रहे है? यदि नहीं, तो वे कब तक चलेंगे ?

SHRI SWARAN SINGH : I would request the hon. Member to address that question to the Finance Minister.

SHRI S. M. BANERJEE : I am happy that Government have given loans and assistance to the Bangla Desh Government for reconstruction after the historic liberation movement. The recent visit of our Prime Minister to Bangla Desh has also given them enough courage and conviction that India will not lag behind in helping them. I would like to know from

the hon. Minister whether in addition to financial aid or loans for reconstruction work, they have also demanded some technicians and engineers and others in place of those who were liquidated during the Bangla Desh struggle, and if so, whether Government are going to send some good engineers, scientists and technicians on loan to work for the reconstruction of Bangla Desh.

SHRI SWARAN SINGH : There will not be any difficulty in sending technical personnel including engineers to Bangla Desh. I am not aware if they have made any firm demand; if they do, we shall certainly be able to depute engineers to help them in the reconstruction work.

With regard to assistance in terms of money or material, some of the assistance that has already been extended is meant for that purpose, and we can have a second look at it after some time

श्री अटल बिहारी वाजपेयी मन्त्री जी ने ठीक कहा कि जो बंगला देश का नुक्सान हुआ है उसका अन्दाज़ा लगाना मुश्किल है लेकिन क्या भारत सरकार, जो नुक्सान हुआ है उसकी भरपाई पाकिस्तान से की जाये इस बारे में बंगला देश की कोई मदद करेगी ? क्या पाकिस्तान के साथ जब बातचीत होगी तो इस मसले को भी उठाया जायेगा ?

SHRI SWARAN SINGH : It will be for the representatives and Government of Bangla Desh to take this matter up with the Pakistan authorities.

SHRI SAMAR GUHA : In view of the fact that jute and tea are the commodities in which the common interests of India and Bangla Desh are involved, and these are the two foreign-exchange earners for Bangla Desh and we have a common market also, may I know whether Government would try to evolve a common policy for jute and tea in the international world both for India and for Bangla Desh ?

SHRI SWARAN SINGH : It is a suggestion for action. I shall pass it on to the Minister of Foreign Trade.

**Bi-Partite Meeting regarding Reforms of Industrial Relations Law**

*203. SHRI P. M. MEHTA :
SHRI RAMKANWAR :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether he had a meeting recently with representatives of three major Trade Unions in the country seeking reforms of the Industrial Relations Law;

(b) if so, the main suggestions made by the three Labour Unions in this regard; and

(c) the reaction of Government thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) (a) to (c). The workers' representatives apprised the Union Labour Minister, of the result of their discussions and the limited accord reached on questions relating to trade union recognition, the role of collective bargaining in the industrial relations system, right to strike etc. These representatives of INTUC, the AITUC and the HMS have yet to communicate their final agreed proposals for discussion at the next meeting of the Working Party of Employers and Workers to be convened for the purpose shortly.

SHRI P. M. MEHTA : May I know whether any suggestion was made by Government regarding a three-year moratorium on strikes and lock-outs, and if so, the views expressed by the unions and the Government's reactions thereto ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : Yes, it is a fact that the President of India first made a suggestion publicly that there should be a moratorium on strikes and lock-outs. Later on, the Prime Minister reiterated the same thing. The

suggestion was made with a view to creating a climate of industrial peace. There was no question of banning the strike as such. Keeping that in view, we have initiated talks with the three national central organisations to find out a minimum agreement so that a climate of industrial peace could be maintained and production kept at the optimum level.

SHRI P. M. MEHTA : He simply mentioned about the suggestion whereas I specifically asked about the views expressed bn the Unions to the suggestion.

SHRI R. K. KHADILKAR : Some Union spokesmen unfortunately have sometimes, not always, not properly understood the significance of this suggestion. They thought it was intended to curtail the right to strike. That was not the intention either when the President made the suggestion or when the Prime Minister reiterated it. The intention was not to deprive the working class of their right, but there was more to it than that, an appeal to see that the right to strike is not exercised during this period, as far as possible.

SHRI P. M. MEHTA : Is it a fact that the Union Labour Minister has come to the conclusion that the experiment of workers' participation in management has been unsuccessful because of the caste system still remaining the rule within the management structure itself, whether in the private sector or in the public sector ? What are the grounds for coming to this conclusion, and is any action being proposed to remove this prevailing condition which is detrimental to the interests of the workers ?

SHRI R. K. KHADILKAR : I made that statement. Our desire that workers should actually participate in management has not evoked that response that we expected. There are certain defects prevailing in the management structure. I referred to a type of caste system prevailing there. Because of that, workers are not treated on par nor are encouraged to participate in the solution of problems facing managements.

SHRI P. M. MEHTA : Is any action being proposed to remove this condition ?

SHRI R. K. KHADILKAR : We will create that climate. The managements will have to be reoriented, keeping in view the broad social objectives. When we say that the workers should participate in managements, they must feel involved in the process of production.

SHRI BHAGWAT JHA AZAD : Have Government considered this that a moratorium on strikes must be preceded by a moratorium on prices and profit ? If so, what is their reaction to that ?

SHRI R.K. KHADILKAR : No doubt, it is incumbent on Government to see to that. The price rise is to be kept in check; that aim is also simultaneously being pursued.

SHRI DINEN BHATTACHARYYA : Sir, whatever terminology you may suggest—moratorium or any other thing—it is ultimately a ban on strikes. Before doing that, I want to know whether it is in the knowledge of the Labour Minister that long back, a suggestion was made by the National Labour Conference where the central trade unions met together and suggested a national minimum wage for the workers throughout India. May I know whether that has been achieved, while putting this suggestion of moratorium or ban on strikes ? May I know whether the Government is ready to consider this aspect ?

SHRI R.K. KHADILKAR : I am sorry the hon. Member has misconstrued this ban-on-strike appeal. There is no question of moratorium on strike. There is no question of ban on strikes as such. As I said earlier, the appeal is intended to create a peaceful climate in industries in respect of management and labour relations.

So far as the other part of the question is concerned, every effort is being made, keeping in view the economic development, to reach the objective that was placed before us by all the trade unions in the country.

SHRI K. GOPAL : Today there are many industries in the country where no union has been recognised. In view of this, will the hon. Minister tell us whether he

proposes to make any reforms in the industrial relations law to the effect that one union or the other in every industry should be recognised ? For example, there are many unions in the Central Government undertakings where no union has been recognised. I quote an example : in the Heavy Vehicles Factory at Avadi, where over 3,000 workers are employed, no union has been recognised Will the hon. Minister tell us whether he will see that one union or the other will be recognised in each industry ?

SHRI R.K KHADIKAR : The purpose of initiating discussions with the employers and the Central trade union organisations was to find a way to recognise and determine the bargaining agent As the hon. Member has suggested, there is a certain amount of rivalry in trade unions Small trade unions, mushroom trade unions, crop up without much backing In a situation like this, as he has suggested, our efforts are directed to see that a representative union in every industry is given recognition forthwith

SHRI BHOGENDRA JHA While appreciating the sentiments for maintaining industrial peace at the optimum level, may I know whether it is a fact that keeping this aim in view, the present Labour Minister, Shri Khadilkar, in a signed letter had appealed to the railway employees to collaborate this time, and they appreciated this appeal and called off the strike on the assurance that there would not be any victimisation ? But may I also know whether in violation of that assurance, about 4,500 employees have been victimised and more than 25 workers have been suspended since the last 13 months, and whether he has taken any action to instil confidence among the workers ? (*Interruption*)

MR. SPEAKER : You are going out of the question It does not arise out of this.

SHRI VASANTRAO PURUSHOTTAM SATHE : Since the appeal for a moratorium on strikes has received a favourable response, will the Government kindly consider the reform of industrial relations law, so as to have an early and expeditious settlement of industrial disputes which today are actually hampering industrial relations and encouraging people to go on the streets on strike ? Will the Government consider expeditious steps for making suitable reforms in the industrial relations law and the unification and codification of the law at the Centre ? There is chaos today in the country.

MR. SPEAKER : Order, order. Do not enter into arguments, after putting the question

SHRI R. K KHADILKAR : The hon. Member has correctly pointed out the prevailing situation Whatever be the machinery, industrial disputes are not settled expeditiously Therefore we have initiated some steps so that the three national organisations as well as employers could meet as a working party and give their concurrence regarding certain proposals or certain suggestions and recommendations made by the National Labour Commission about the machinery for the settlement of industrial disputes I can assure the House that if by any chance a settlement is not reached the Government will not wait indefinitely to take expeditious steps to see that some machinery for the settlement of industrial disputes is set in motion

श्री हुकम चन्द कछवाय यूनियज को मान्यता देने के जो झगडे होते है उन को ले कर ज्यादा तर विवाद खडे होते है। मान्यता देने में काफी बिलम्ब भी होता है। केन्द्र की शर्ते पूरी करने के बाद भी केन्द्र ने भारतीय मजदूर संघ को मान्यता नही दी है। क्या आप उसको मान्यता देने का विचार रखते है ? आपने कहा है कि तीन राष्ट्रीय मजदूर संगठन इस पर विचार कर रहे है। मैं जानना चाहता हूं कि इन तीन राष्ट्रीय मजदूर संगठनों में भारतीय मजदूर संघ आता है या नहीं आता है ?

SHRI R. K. KHADILKAR : The hon. Member is right so far as the present situation is concerned. There is, as I said

earlier, some machinery and some law that could be enforced to give recognition to unions which have representative character. There are disputes because of intra-union rivalry and inter-union rivalry. The union referred to by the hon. Member, the Bharatiya Mazdoor Sangh, claim to be an all-India organisation. We shall consider it when the next verification will be made. We are proceeding on the verification of 1968, and at that time the BMS was not qualified for recognition at all-India level. If they qualify, we shall of course consider them.

श्री हुकम चन्द कछवाय : अभी जांच हुई है। 1971 में जांच हुई है। आपको पता ही नहीं है उसके बारे में ?

SARI M. RAJANGAM : How far is it possible to introduce the idea of our President : one union for one industry ?

SHRI R. K. KHADILKAR : As I said, if the Central trade union organisation and the employees reach some agreement, then alone the Government would be able to modify the present industrial disputes law, so that one union will be a representative union recognised by the industry. That will be a very healthy development indeed.

**Indo-West German Talks**

+

*205. SHRI CHINTAMANI PANIGRAHI :
SHRI P. GANGADEB :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether annual Indo-West German talks were held on the 20th January, 1972 in New Delhi; and

(b) if so, the subjects discussed thereat ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir. The annual Indo-FRG talks were held in New Delhi on the 20th and 21st January, 1972.

(b) The consultations covered a wide range of subjects, including the world situation, European political perspectives, the situation in the Indian sub-continent and in Asia, and Indo-FRG belateral relations in the political, economic and cultural fields. Such bilateral consultations are confidential in nature and it is not customary to disclose the details of the discussions.

SHRI CHINTAMANI PANIGRAHI : May I know whether, during the course of these bilateral talks at any time, the question of according full diplomatic recognition to the East German Government came up, and if so, as the West German Government under the leadership of Mr. Brandt is trying to have a detente in Europe and trying to have bilateral talks with the Government of GDR, whether there was any kind of suggestion that after agreement is reached between the two German Governments, they would like India to recognise the East German Government ?

SHRI SWARAN SINGH : The situation in relation to the two German States was broadly discussed. Any decision that we might take at any stage to raise the level of our representation in GDR will be our own national decision, and this matter was not discussed in the form in which the hon. Member has suggested.

SHRI CHINTAMANI PANIGRAHI : Will the hon. Minister let us know whether, when this question of political developments in this sub-continent was taken into consideration, the matter of West German aid to Pakistan also came up, and may I know whether the West German Government which had stopped aid to Pakistan at the time of the Indo-Pak conflict will continue that attitude or change it towards Pakistan ?

SHRI SWARAN SINGH : It is a fact which is known to the hon. Member and the House that economic aid was stopped by the Federal Republic of Germany to Pakistan at the time of Indo-Pakistan conflict. Now that the conflict is over, many countries are thinking of resuming economic aid to Pakistan. I cannot specifically say if FRG has taken a similar decision.

*206. SHRI BHOGENDRA JHA :
SHRI ATAL BIHARI VAJPAYEE :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the statement made by the U. S. President saying that he has brought about cease-fire on the Western Front in the recent Indo-Pak War after "intensive exchanges" with the Soviet leaders has come to his notice; and

(b) if so, the reaction of Government thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir

(b) The decision to declare cease-fire was Government of India's own decision Any suggestion that this was done at the instance of any other Power is unfounded As the Prime Minister noted in her statement in Parliament on December 16, "our objectives were limited to assist the gallant people of Bangladesh and their Mukti Bahini to liberate their country from a reign of terror and to resist aggression on our own land" Government made a unilateral declaration of ceasefire as soon as these objectives had been achieved.

श्री भोगेन्द्र झा. सरकार की ओर से बार बार कहा गया है कि हमारा उद्देश्य सीमित था। लेकिन क्या सरकार को पता है कि अमरीकी राष्ट्रपति निक्सान ने और बाद में अमरीकी सरकार के प्रवक्ता ने कई बार दोहराया है कि भारत सरकार के एक कैबिनेट मिनिस्टर के जरिये उनको यह पता चला था कि पश्चिम पाकिस्तान को भी भारत सरकार खत्म करना चाहती है और इसीलिए पश्चिम पाकिस्तान को बचाने का सेहरा वे अपने ऊपर लेना चाह रहे हैं ? मैं जानना चाहता हूं कि इसके बारे में भारत सरकार की सूचना क्या है, उसकी प्रतिक्रिया क्या है ?

SHRI SWARAN SINGH : When the actual facts about the whole matter have been stated clearly, any suggestion to the contrary is absolutely unfounded. I have not seen any statement of any representative of the U S Government to the effect that they got any such information from a Cabinet Minister. I have not seen any such statement at all If any such statement has appeared, it is completely baseless.

श्री भोगेन्द्र झा: अमरीकी सरकार के इस कथन को ध्यान मे रखते हुए क्या भारत सरकार का यह विश्वास है कि भारत और सोवियत संघ के मैत्री-सम्बन्धों को बिगाड़ने के लिए ही अमरीकी सरकार ने यह कहा है; यदि हां, तो क्या भारत सरकार ने इस पर अपने विरोध का इजहार किया है ?

SHRI SWARAN SINGH : I do not know what were the motives of the US Government. But our relations with the Soviet Union are on a firm basis and any attempt in any way to harm those relations will not yield any result.

श्री अटल बिहारी वाजपेयी. सोवियत रूस और भारत के सम्बन्ध एक मित्रता की संधि से बंधे हुए है। उस संधि के अन्तर्गत दोनों देशों के बीच मे निरन्तर विचार-विनिमय चलता रहता है। जब लड़ाई हो रही थी, तो सोवियत रूस के उप-विदेश मंत्री, श्री फिर्युबिन, भारत में थे और एक या दो दिन के बाद भारत के विदेश मंत्री मास्को की यात्रा पर जा रहे हैं। क्या मंत्री महोदय का यह कहना है कि एकतरफा युद्ध-विराम का फैसला करने के पहले उसके बारे में भारत सरकार ने सोवियत रूस से कोई विचार-विनिमय नही किया ? दोनों

हाईकन्ट्रैक्टिंग पार्टीज हैं। क्या मंत्री महोदय यह कहना चाहते हैं कि यह इतना अहम फैसला विचार-विनिमय के बिना हुआ ?

SHRI SWARAN SINGH : I want to say very clearly that our decision to declare cease-fire unilaterally was not communicated to the USSR Government or to any other Government before this was actually announced. I want to say it quite categorically.

SHRI S. M. BANERJEE ; Purely made in India !

## बंगला देश का संयुक्त राष्ट्र संघ में प्रवेश

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*207. श्री राम रतन शर्मा.
श्री फूलचन्द वर्मा

क्या विदेश मंत्री यह बताने की कृपा करेंगे कि संयुक्त राष्ट्र संघ में बंगला देश को स्थान दिलाने के लिए सरकार द्वारा क्या प्रयास किये गये हैं ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) India has assured the Government of Bangladesh of its full support and cooperation in securing the admission of Bangladesh to the United Nations There is growing appreciation of existing realities by the international community and more than 50 countries have already recognised Bangladesh. It is hoped that Bangladesh will soon find its rightful place in the comity of nations

श्री राम रतन शर्मा: बंगला देश के सम्बन्ध में लगभग सभी विदेशी पत्रों ने युद्ध के पूर्व और युद्ध के बाद हमारा साथ दिया है। लेकिन विदेशी सरकारों को सरकार इस सम्बन्ध में प्रेरित नहीं कर सकी और इस क्षेत्र में हमें विफलता मिली। पाकिस्तान अमानवीयता का अपराधी रहा है, लेकिन फिर भी उसे संयुक्त राष्ट्र संघ के अधिकांश देशों का समर्थन मिला। उपरोक्त तथ्यों को देखते हुए क्या यह सच नहीं है कि जहां तक बंगला देश को संयुक्त राष्ट्र संघ में स्थान दिलाने का प्रश्न है, हमारी विदेश नीति असफल रही है ?

श्री स्वर्ण सिंह जी नहीं।

श्री फूलचन्द वर्मा. संयुक्त राष्ट्र संघ के पिछले अधिवेशन में बंगलादेश के मामले में 108 देशों ने भारत को सहयोग नहीं दिया था। क्या इस बात को ध्यान में रखते हुए विदेश मंत्री अपनी विदेश नीति पर पुनर्विचार करने का इरादा रखते है ?

SHRI SWARAN SINGH The basis on which the question is put is incorrect The subsequent attitude shown by the member countries of the UN is proof of the fact that our steadfast adherence to our line of approach did yield results and there is growing appreciation that we reacted wisely and effectively

अध्यक्ष महोदय अगर मिनस्टर साहब यह बता देते कि 108 मुल्कों में से कितनों ने बंगला देश को रेकगनाईज् कर लिया है, तो मेम्बर साहब यह सवाल ही न पूछते।

SHRI SAMAR GUHA May I know whether the Government of India is going to sponsor a move in the UNO for early entry of Bangla Desh into that body ?

SHRI SWARAN SINGH The UN General Assembly session is still about six months away We would take a decision to support Bangla Desh and today the people of Bangla Desh are indebted to nearer the time when General Assembly is scheduled to meet.

SHRI S. M. BANERJEE : Since India has taken a decision to our Prime Minister, to the people of India and to our Army. I want to know whether, during this period of six months available before the UN General Assembly meets, India will initiate some discussion with those countries who have recognised

Bangla Desh—except the American imperialists and their satellites, all progressive countries have recognised Bangla Desh—and see that a concerted effort is made with all those countries to support India when we sponsor the entry of Bangla Desh into the UN ?

SHRI SWARAN SINGH : It is our expectation that over the next three or four months, many more countries will also recognise Bangla Desh and that will facilitate the easy and smooth entry of Bangla Desh into the UN. Bangla Desh Government are already in touch with Governments of those countries who have not yet recognised it and every day almost we find one announcement or the other by countries granting recognition The grant of recognition itself will be the strongest factor that would enable Bangla Desh to be admitted to the UN..

**Casting of Votes by Staff of N.M D.C. to Metropolitan Council in Delhi**

208 SHRI BAKSI NAYAK : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the attention of the Government of India has been drawn to a report published in the *Mother-land* of the 19th February, 1972, regarding the staff of the National Mineral Development Corporation who are voters to the Metropolitan Council in Delhi and who have moved to Hyderabad since their office was shifted there ;

(b) whether the staff were paid their return fare and expenses to enable them to come to Delhi to cast their votes, and

(c) if so, the total expenses incurred in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). Yes, Sir.

(c) Rs. 15,165/- approximately were spent on to and fro-journeys of 49 members of the staff for coming from and going back to Hyderabad.

SHRI BAKSI NAYAK : I would like to know from the minister the total number of families of Government employees who came for the elections and how much money was paid to them ?

MR. SPEAKER : He has given the figures.

SHRI SHAHNAWAZ KHAN : I have said that 49 employees came and Rs 15,165 were spent.

श्री अटल बिहारी वाजपेयी : क्या यह सच है कि चीफइलैक्शन कमिश्नर ने यह सुझाव दिया कि जब तक चुनाव नहीं होते, तब तक इन कर्मचारियों को दिल्ली में ही रखा जाये ? क्या कारण है कि सरकार ने यह सलाह नहीं मानी ? अगर ये कर्मचारी दो महीने बाद हैदराबाद चले जाते, तो कौन सा आसमान टूट पड़ता ? लेकिन पंद्रह हजार रुपया खर्च कर के उन कर्मचारियों को दिल्ली लाया गया और फिर वापिस भेजा गया । क्या यह सरकार की जिद थी, जिस के कारण कर्मचारियों को परेशानी में डाला गया ?

श्री शाहनवाज खां : मेरे मोअज्जिज़ दोस्त को पता है कि यह मूव एन० एम० डी० सी० के हैडक्वार्टर्ज को दिल्ली से हटाने का बहुत अर्से से चल रहा है । जनवरी के महीने में आर्डर्स ईश्यू हो चुके थे । हमें जो एलेक्शन कमिश्नर की चिट्ठी मिली है वह 12 फरवरी को मिली है जब कि बहुत सारे लोग जा चुके थे । उस स्टेज पर उन को रोकना मुमकिन नहीं था ।

SHRI S.M. BANERJEE : Is it a fact and has it been brought to the knowledge of Government that in Hyderabad, where this office has been shifted, not even the building has been completed yet, there are no doors and the furniture has not been

opened yet ? I have actually submitted some photographs to hon. Ministers and other people. In view of the fact that all those employees, who have been transferred, have been asked not to work but to go round and see Hyderabad City, including the Salar Jung Museum, is there anything which can be called an office there ? If nothing has been done, why have they been transferred so far; why not to Faridabad ?

श्री शहनवाज़ खां: यह जो बैनर्जी साहब ने फरमाया यह ठीक नहीं है। जहां पर हमारे कर्मचारी काम कर रहे हैं वह, मल्टी स्टोरीड बिल्डिंगें है। उस में कई फ्लैट्स तैयार हैं जिन में वह काम कर रहे हैं। बाकि तैयार हो रहे हैं।

श्री एस० एम० बैनर्जी : मैं चाहता हूं कि मंत्री महोदय खुद जा कर देख लें, दूसरों के कहने पर यकीन न करें।

SHRI N.K. SANGHI : Under what conditions is this amount paid to employees, who are registered in some other constituency, to go for casting their votes ? Is this pattern followed in all the public sector undertakings in case the employees are not registered where the public sector undertaking is situated ? If they are registed elsewhere, does the Government ask the undertaking to pay their fare in all cases ?

SHRI SHAHNAWAZ KHAN : These employees were registered in Delhi itself and had to move under orders of the Corporation. Since the Election Commissioner wrote to us and since we feel that this right to cast one's vote is a very valuable right which must be safeguarded, the Corporation allowed them to come back to cast their votes.

MR. SPEAKER : His questions was whether this was a general pattern.

SHRI SHAHNAWAZ KHAN : It is not a general pattern, but it is also not a general pattern for the Election Commissioner to write for this.

SHRI ATAL BIHARI VAJPAYEE : Is it not a general practice to transfer employees *en masse* on the eve of elections?

SHRI S.M. BANERJEE : They got the letter on the 12th February and the election was to take place on the 11th March. It was only a question of one month.

SHRI PILOO MODY : I would like to know from the hon. Minister under what rule employees of Government or Government-owned industry or semi-Government-owned corporations are paid travelling allowances to come from one city to the other to cast their votes. I would also like to know as to whether the authorities that paid Rs. 15,000-and-odd will debit that to their current expenses or whether the party, which collected those votes, would have to reimburse them for having done so. In other words, what I want to know is whether the Government is contemplating to change the law of corrupt practice because, as far as I know, it is not permissible to pay travelling allowance or for that matter to provide transport for anybody to come and cast his vote.

SHRI SHAHNAWAZ KHAN : These employees belonged to the Corporation which is an autonomous body and the decision had to be taken by the Corporation itself. We do not know for which party these employees voted.

SHRI PILOO MODY : Make a guess.

MR. SPEAKER : Shri Shivappa—absent; Shri Mallanna—absent. They are just sending questions without being present.

### E. P. F. Contributions in Bihar Small Industries Corporation

*210. SHRI RAMAVATAR SHASTRI: Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Provident Fund deductions are being made from the salaries of the employees working in Bihar Small Industries Corporation;

(b) whether in accordance with the rules of the said Corporation, its Managers are also required to deposit such amount, but they have not done so uptil now; if so, the amount required to be paid by them, and

(c) the action taken or proposed to be taken by Government to recover the said amount from them ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) : (a) to (c), The Provident Fund Authorities have reported that the required information is being collected from the Regional Office, Bihar. It will be laid on the Table of the Sabha as early as possible

श्री रामावतार शास्त्री अध्यक्ष महोदय, 21 दिन पहले हम लोग सवाल देते है और फिर भी जवाब इस तरह से मिल रहा है। यह आश्चर्य की बात है। मैं इसके बारे से यह जानना चाहता हू कि क्या यह बात सच है कि बिहार स्टेट स्माल इंडस्ट्रीज कारपोरेशन एम्पलाईज एसोशिएशन ने रिजनल प्राविडेंट फड कमिशनर को बार बार इस बात की शिकायत की और इस के बावजूद उन्होंने कोई ध्यान नही दिया है ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K KHADILKAR) I have no information about the representation. I will try to find it out.

श्री रामावतार शास्त्री क्या यह बात भी सच है कि एम्पलाईज एसोसिएशन ने आप की मिनिस्ट्री के पास डायरेक्ट इस की शिकायत की, चिट्ठी लिखी, प्रस्ताव भेजे, लेकिन आप की तरफ से उन्हें कोई मदद नहीं दी गई है और अगर आप ने कोई इस दिशा मे स्वतंत्र रूप से कार्यवाही की है तो वह क्या है ?

SHRI R. K. KHADILKAR : So far as I could recollect, I do not remember to have received and such representation.

SHRI RAMAVATAR SHASTRI : I am the President of the Union. Therefore, know it definitely.

SHRI R K KHADILKAR : But if it is there, I shall see what are the complaints and I will lok into them immediately.

SHRI R. S. PANDEY : May I know within what time the provident fund which is deducted from the salaries of employees is deposited ? Last time, the hon. Minister made a statement that within 7 days, the money must be deposited Is it being implemented ?

SHRI R K KHADILKAR : Our orders are there to that effect I must confess that so far as arrears are concerned, upto 30-9-71, the arrears are more than Rs. 17 crores We are conscious that unless we make some drastic changes which are being contemplated in the Law, it will be difficult to enforce these orders or make recoveries. This is the present position

SHRI N. K. P SALVE · The rule of depositing the provident fund amount deducted from the salaries of employees by the employers is observed merrily in breach by the employers, particularly, the private colliery owners That is to the knowledge of the hon Minister. Thanks to the lukewarm attitude, it is going on merrily for years. Shall we have a categorical assurance that at least within six months if the moneys are not deposited, the colliery owners will be put behind the bars ?

SHRI R.K. KHADILKAR: I must confess that the proceedings that we initiate are not taken, if I may use that word without any contempt of court, very seriously. The provisions are imposition of fine or imprisonment or both. It is very rarely that the maximum amount of fine that is prescribed, *i.e.* Rs. 1000/-, is ordered or, very rarely, in exceptional cases, imprisonment is ordered. There is no deterrent provision, and as I said earlier, unless we make that provision, it would be very difficult for us.

**India not briefed on U.S. President's Discussions in Peking**

*211. SHRI B.K. DASCHOWDHURY: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India was eliminated from the list in New York of countries, which were briefed on President Nixon's discussions m Peking; and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): (a) Government has no information regarding lists of countries briefed by the U S. Government on President Nixon's discussions in Peking The U.S. Secretary of State, Mr. William Rogers, called in our Ambassador in Washington on March 6 in order to brief him on the visit.

(b) Does not arise.

SHRI B.K. DASCHOWDHURY. According to the statement of the hon. Minister, Government of India seems to have no information about this, though it has been stated m the newspapers I would like to know from the hon. Minister whether it is an established diplomatic convention that when any Head of State goes out of the country on matters of such international significance, the representatives of friendly countries are called and briefed about the discussions that would take place. Also, while President Nixon made his visit to Peking in the third and early fourth week of February, Mr. Rogers met onr a Ambassador in Washington on March 6, *i.e.*, much later I would also like to know whether, in this connection, any of the other countries were briefed by the U.S. Government.

SHRI SWARAN SINGH: Just as India's Ambassador was called by the Secretary of State, Mr. Rogers, and some information was given, similarly ambassadors of other countries were also informed, some by the Secretary of State, Mr. Rogers, and some by other officials of the State Department of the U.S. Government.

SHRI B.K. DASCHOWDHURY: I wanted to know whether there is any established diplomatic convention, whenever the Head of State goes out of the country on matters of certain international significance, to brief the friendly countries before their departure. The Minister has not answered that.

SHRI SWARAN SINGH: There is no such diplomatic convention.

SHRI B.K. DASCHOWDHURY: May I know whether it is a fact that, of late, the U.S. Government have made certain overtures in respect of India Office in Washington and in view of that, I would like to know whether Government will consider how our future diplomatic and economic relations with the U S. Government should be in order to meet the challenge shown by such overtures and also whether these overtures and also this attitude not to brief the friendly country when the Head of State goes out of the country on matters of such international significance though it is a diplomatic convention—it has been done earlier also—amount to showing an affront to the Government of India.

SHRI SWARAN SINGH: If the hon. Member repeats the question a little slowly then I will be able to follow I must confess that I was not able to follow the import of his question

SHRI B K DASCHOWDHURY: I want to know whether, of late, there is a change of procedure in matters of diplomatic relations with Government of India by the U.S Government; secondly, whether this amounts to showing an affront to the Government of India, and if it is so, how the Government of India propose to meet this challenge in the making of its future diplomatic and economic relations with the U.S Government.

SHRI SWARAN SINGH: (1) and (2) No, and (3) does not arise.

श्री अटल बिहारी वाजपेयी: अमरीकी राष्ट्रपति श्री निक्सन और कम्यूनिस्ट चीन के प्रधान मंत्री श्री चाऊ-एन-लाई की जो

संयुक्त विज्ञप्ति प्रकाशित हुई है, उस में काश्मीर का उल्लेख किया गया है, जिस पर सारे देश ने अपनी प्रतिक्रिया प्रकट की है कि वह हमारे आंतरिक मामले में दखल है। मैं जानना चाहता हूं कि उस विज्ञप्ति में काश्मीर के बारे में कुछ कहा गया है, वह केवल चीन का दृष्टिकोण है या अमरीका भी उस दृष्टिकोण से सहमत है ?

SHRI SWARAN SINGH : This question, you might recall, was raised in the House and I made a statement on March 14 on the floor of the House in which I had said that the State of Jammu & Kashmir is an integral part of India. We have made this position clear in the UN and to the entire international community. I have also said that it is unfortunate that the US Government should have acquiesced in a reference being made to Jammu & Kashmir in the communique. I have nothing more to add.

श्री अटल बिहारी वाजपेयी: अध्यक्ष जी, मेरे सवाल का जवाब नहीं आया। मंत्री महोदय ने उस दिन कहा था कि यह दुर्भाग्यपूर्ण है कि अमरीका ने भी काश्मीर के बारे में जो कुछ कहा गया है, उस का विरोध नहीं किया, एक्वीज् किया। क्या इस का अर्थ है कि अमरीकी स्थिति अलग है, चीन की स्थिति अलग है या चीन के दबाव में आ कर अमरीका ने उस विज्ञप्ति में काश्मीर का उल्लेख करना मन्जूर किया है ?

SHRI SWARAN SINGH : A reference to the joint communique would indicate that the Chinese presentation on Jammu and Kashmir is different from the presentation of the United States of America. That is clear if one goes through the communique.

SHRI AMRIT NAHATA : When Mr. Rogers called our Ambassador, was it to brief him on President Nixon's visit to Peking or was it to explain America's position *vis-a-vis* Indian protest that America is interfering in our internal affairs by acquiescing to the reference on Jammu and Kashmir in the joint communique ?

SHRI SWARAN SINGH : The talk naturally covered many matters including the two things the hon. Member has mentioned and several others.

SHRI SAMAR GUHA *rose*—

MR. SPEAKER : Prof. Samar Guha, it does not concern Bangla Desh. You may please resume your seat.

I am very much behind the scheduled number.

**Proposal for Collective Security in Indian Ocean Area**

*212. SHRI N. K. SANGHI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether a proposal for initiating a scheme for collective security in the Indian Ocean area was discussed between the British Foreign Secretary and the Government of India in February, 1972; and

(b) whether Government have discussed the proposal with countries in South-East Asia who have their interests involved and if so, their reaction in this regard ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) No, Sir. No proposal for initiating a scheme for collective security in the Indian Ocean area was discussed between the British Foreign Secretary and the Government of India in February, 1972.

(b) Does not arise.

SHRI N. K. SANGHI : In view of India's desire to keep the Indian Ocean as a region of peace, may I know from the hon. Minister whether it has come to his notice...

MR. SPEAKER : You asked a categorical question and he said, 'No'. So, I fail to understand how you are able to ask a second question.

SHRI N. K. SANGHI : Sir, if so, I will ask a very capsulated question...

MR. SPEAKER : This question, I don't think, needs any further elucidation because it is a very categorical question.

SHRI N. K. SANGHI : May I know from the hon. Minister if it has come to his notice that there has been a greater increase of the plying of submarines both from the USA as also from USSR in the last three months in this region ?

MR. SPEAKER : You may better put that question to the Defence Minister.

Dr. Karni Singh—he is not here. Mr. Laskar.

**Asian Summit Conference**

*214. SHRI NIHAR LASKAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether President Marcos has called for an Asian Summit Conference inviting China as well; and

(b) if so, the reaction of the Government of India thereto ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): (a) According to newspaper reports, President Marcos made a proposal during his talks with newsmen in Manila on 4th March, 1972 to call an expanded Asian Summit meeting after an initial Summit metting of the five counties in the Association of the South East Asian countries, viz., Malaysia, Singapore, Indonesia, Thailand and the Philippines. He is reported to have added that such a Summit could include People's Republic of China, Japan, India, Pakistan and other countries from Asia.

(b) Government has received no other information or formal communication regarding thie proposal and without details of the aims and objects of any particular meeting, Government is unable to formulate definite views about it.

SHRI NIHAR LASKAR : May I know whether Government is initiating any consultation *etc.* with the countries montioned in the statement so that such an Asian summit conference could take place.

SHRI SWARAN SINGH : We are not initiating any move in that regard.

SHRI PILOO MODY : I thought he was in Kabul...

SHRI SWARAN SINGH : You discovered rather late that I am still here...

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## WRITTEN ANSWERS TO QUESTIONS

**Textile and Engineering Workers in Tamil Nadu**

*202. DR. RANEN SEN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the steps taken by the Government to see that the problems of textile and engineering labour in Tamil Nadu are solved; and

(b) the number of workers affected on account of closure of these units ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Indistrial relations in these sectors essentially come within the jurisdiction of the State Government. Because of the unrest resulting in the closure of Simpson Group of Companies, and its repercussions on defence industries as well as vital industries in the other States, the Union Labour Minister, at the request of the trade union representatives and in consultation with the State Government, used his good offices in an effort to secure an amicable settlement. It is understood that normal work in the Simpson Group has been resumed from March 22, 1972 following a settlement between the parties. The

strike in the textile industry is also reported to have been called off from March 12, 1972 in 79 out of the 81 affected mills.

(b) The number of worker affected by the strikes/closures in the textile industry and the Simpson Group was reported to be respectively about 58,000 and 18,000.

**Expansion of Steel Plants in Public and Private Sector**

*204. SHRI R. R. SINGH DEO :
SHRI P. VENKATASUBBAIAH :

Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government have decided to permit expansion of all steel plants in the public and private sector,

(b) if so, the main features in respect of each Plant; and

(c) the extent to which country's steel production is likely to go up as a result of the expansion proposals ?

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMANGALAM) : (a) and (b). The Bokaro Stee Palant which will have a capacity of 1.7 million ingot tonnes of steel per annum in the First Stage-which is due for commissioning in 1973-74—is being expanded in the second stage to 4.00 million ingot tonnes per annum. The feasibility of taking the capacity of Bokaro to 5.5 million ingot tonnes of steel per annum in the Third Stage is also under examination.

The capacity of Bhilai Steel Plant is also proposed to be expanded from 2.5 million ingot tonnes of steel per annum to about 4.00 million ingot tonnes. The Detailed Project Report for this expansion scheme is under preparation by the Central Engineering and Designs Bureau.

The Indian Iron and Steel Co. have been permitted to expand their capacity from 1.00 million ingot tonnes to 1.3 million ingot tonnes per annum.

The feasibility of expansion of tea capacities of the other integrated steel plants, both in the public and private sector, is also being examined.

(c) The present capacity of the integrated steel plants is 8.9 millon ingot tonnes of steel per anuum. With the expansion of Bhilai and Indian Iron and Steel Co. and with Bokaro's capacity going upto 4.00 million ingot tonnes of steel, the addition to the installed capacity will be 5.8 million ingot tonnes of steel per annum.

**Non-Celeberation of 'Independence' Republic day in Indian Embassy at Dublin**

*209. SHRI N. SHIVAPPA :
SHRI K. MALLANNA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Independence Day and the Republic Day are not celebrated by the Indian Embassy in Dublin;

(b) if so, the reasons therefor; and

(c) whether any Indian Embassy in any other foreign country also does not observe these national days ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Both Independence and Republic Days in 1971 and the Republic Day in 1972 were celebrated by our Embassy in of Dublin.

(b) Does not arise.

(c) No instance of non-observance of these national days has come to the notice the Government.

**Anti-Indian stand of Countries during Indo-Pak War**

*213. DR. KARNI SINGH : Will the Minister of EXTERNAL AFFAIRS be

pleased to state the names of the countries which in the recent Indo-Pak War either condemned India's position, threatened sanctions against her or sent arms assistance to Pakistan ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : The attitudes taken by different countries are contained in their statements made before the General Assembly during the discussion of the Resolution which was finally adopted by the General Assembly on December 7,1971 These statements are contained in the records of the General Assembly Debate available in the Library of the House. It is difficult to specify attitudes of countries in categorical terms as condemning India's position

No country threatened to apply sanctions against India

According to our information, Pakistan received arms assistance from China, the U. S. A. and some West Asian and North African countries

**Industrial Unrest in Tamil Nadu**

*215. SHRI A. K GOPALAN Will the Minister of LABOUR AND REHABILITATION be pleased to state

(a) whether the Tamil Nadu State Government has been requested for a report about growing industrial unrest in Tamil Nadu;

(b) whether Government have received the report; and

(c) if so, the salient features thereof ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Yes, Sir.

(b) No.

(c) Does not arise.

**Visit by Hungarian Delegation to India for Collaboration with Aluminium Plants**

*216. SHRI RAJDEO SINGH : SHRI BIRENDER SINGH RAO .

Will the Minister of STEEL AND MINES be pleased to state .

(a) the outcome of the visit of an Hungarian Delegation to India in the first week of March, 1972 under the leadership of Hungarian Minister for Heavy Industry to review technical collaboration with the public sector Aluminium Plants,

(b) whether the Government of India have entered into a long term agreement with the Government of Hungary in this regard, and

(c) if so, the broad outlines of the agreement ?

THE MINISTER OF STEEL AND MINES (SHRI S MOHAN KUMARAMANGALAM) : (a) With a view to promoting and strengthening the cooperation between the public sector aluminium industry in India and the Hungarian aluminium Industry in respect of research, product development and applications of aluminium etc , the Hungarian delegation have offered collaboration on a long term basis In the field of research and development, Hungary has also offered to enter into a long term agreement with Bharat Aluminium Company Ltd , a Government Company in the public sector, for making their research experience available for the development of aluminium industry in India. They have further offered to supply equipment and machinery for the Ratnagiri (Maharashtra) Aluminium Project of the Bharat Aluminium Company under the frame work of Inter-Governmental Credit Agreement.

For the implementation of the Alumina Plant proposed to be set up in Gujarat, the Hungarian delegation has offered both financial and technical collaboration.

(b) No Sir. The extent to which Hungarian assistance is necessary and can be utilised in the public sector aluminium industry is under consideration of the Government.

(c) Does not arise.

**Plantation Schemes for Ceylon Repatriates**

*217. SHRI M. K. KRISHNAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether two new plantation schemes have been sanctioned to provide employment to the repatriated families from Ceylon;

(b) if so, the salient features thereof; and

(c) whether the Kerala Government has agreed in making available suitable lands and formulating land colonisation schemes ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). The following two new plantation schemes have been sanctioned in the year 1971-72 :—

(i) Rubber plantation on 5,000 acres in South Kanara District of Mysore to provide employment to 833 families.

(ii) Rubber plantation on 5,000 acres in Quilon District of Kerala to provide employment to 750 families.

(c). No, Sir.

**Indians in Ceylon**

*218. SHRI B. V. NAIK :
SHRIMATI SAVITRI SHYAM :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Srimavo-Shastri Pact of October, 1964 has failed to be an effective instrument to end the "Statelessness" of nearly one million persons of Indian origin in Ceylon, as reported in the Indian Express of 28th Febraury, 1972;

(b) if so, the main reasons therefor; and

(c) the steps, if any, taken to revise the pact to make it more effective ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) to (c). No, Sir. But the necessity to make various prior arrangements has delayed the full implememtation of the Indo-Ceylon Agreement of 1964. Both the Governments of India and Ceylon are in constant touch with each other and are trying to get the provisions of the Agreement implemented more effectively.

**Indo-Soviet Commission**

*219. SHRI MUKHTIAR SINGH MALIK : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether there is any proposal under consideration of Government to set up an Indo-Soviet Commission ;

(b) if so, the progress so far made in setting up such a Commission ; and

(c) the main fuctions of the Commission ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir. When the Prime Minister visited the the Soviet Union from the 27th to the 29th September, 1971, it was decided by the two sides to set up an Inter-Governmental Commission on economic, scientific and technical cooperation.

(b) Drafts have been prepared by the two Governments outlining the proposed terms of reference and working procedures for the Commission. These drafts have been exchanged and they are currently under discussion with the Soviet authorities through the Indian Embassy in Moscow.

It has been decided that the Minister for Planning will head the Indian delegation on the Inter-Governmental Commission. The Soviet Government have nominated Mr. S. A. Skachkov, Chairman of the State Committee for Foreign Economic Relations, as the leader of their delegation.

(c) The functions of the Commission have yet to be worked out in detail. The commission is expected to concern itself primarily with the further expansion and depending of economic and technical co-operation between the two countries in fields such as the iron and steel industry, oil and natural gas industrial collaboration.

**Setting up a Mini Steel Plant at Varanasi**

*220. SHRI MUHAMMED SHERIFF: Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government have decided to set up a mini steel plant at Varanasi in Uttar Pradesh; and

(b) if so, the main features thereof and the time by which it would start functioning?

THE MINISTER OF STEEL AND MINES (SHRI S.MOHAN KUMARAMANGALAM) : (a) and (b) The U. P. State Industrial Development Corporation, Kanpur, have been granted a Letter of Intent on 28-6-71 for the establishment of a new industrial undertaking in U. P. for the manufacture of 100,000 tonnes of M. S Billets per annum from scarp, in an electric furnace-cum-continuous Casting Unit. The exact location of the plant in U. P. or the date of its commissioning has not been indicated so far by the Corporation.

**Restriction imposed on British Broadcasting Corporation**

1497. SHRI BISHWANATH JHUNJHUNWALA : Will the Minister of EXTERNAL AFFAIRS be pleased to refer to the reply given to U.S.Q. No. 340 on the 16th March, 1972 and state :

(a) the restrictions that have been imposed on British Broadcasting Corporation; and

(b) whether the nature of restriction now imposed on British Broadcasting Corporation is the same as is being applied to other news agencies from foreign countries and if not, the justification for the same?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). There are no special restrictions imposed on the B B C's functioning in India. Our regulations which are clear and simple, apply to all foreign news agencies including the B B C

**Allotment of Iron, Steel, Aluminium Zinc to States**

1498 SHRI RAMACHANDRAN KADANNAPPALLI : Will be Minister of STEEL AND MINES be pleased to state :

(a) the policy adopted in the allotment of raw materials such as iron, steel, aluminium, zinc etc to various States ; and

(b) the State-wise allotment made during the current year ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) and (b). Under the present distribution system there are no statewise allocations of iron and steel. Allocations of steel are regulated by the steel. Priority Committee after taking into account the end use for which steel is required, the availability and competing demands.

Information about allotment of aluminium, zinc etc. is being collected and will be laid on the Table of the House.

**Time-Lag between Completion of Education and getting Employment**

1499. KUMARI KAMLA KUMARI: Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the duration of unemployment, the time-lag between the completion of education and getting the first job in the employment market, was around 37 weeks in the second plan period ;

(b) whether this time-lag is lengthening day by day; and

(c) if so, the reasons thereof and the mearures taken in this regard together with the present time-lag between the completion of education and getting the first job?

THE MINISTER OF LABOUR & REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c). No precise information is available on the subject. Government has, however, been making continuous efforts for creation of additional employment opportunities for the employed (including the educated) with a view to reducing this time-lag to the minimum.

**Inquiry into Sending of Indian girls to Foreign Countries on False Promises**

1500. SHRI HARI KISHORE SINGH : Will the Minister of EXTERNAL AFFAIRS be plsased to state :

(a) whether the Government of India have since completed the inquiry against the priests alleged to have deprived some 25 Roman Catholic girls of their belongings on false promises of jobs and education abroad and entry into foreign countries; and

(b) if so, the result thereof and the aetion taken by Government in this regard?

THE MINISTER OE EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). The inquiry which Government had undertaken in regard to allegtions about "nun-running" and maltreatment of Indian girls in foreign countries has been completed and a report has been placed on the Table of the House on 29-3-1972.

**Protest to India by China**

1501. SHRI PRABHUDAS PATEL : SHRI H. M. PATEL :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether China lodged a strong protest to India accusing Indian soldiers and an Indian Aircraft of a grave encroachment on Chinese territory on December 6, 1971;

(b) if so, the reaction of Government: and

(c) whether these were the Chinese old tactics of diplomacy to pressurise India ?

THE MINISTER OF EXTERNAL AFEAIRS (SHRI SWARAN SINGH) : (a) No, Sir.

(a) and (c). Do not arise.

**Conference of Afro-Asian Countries**

1502. SHRI C. T. DHANDAPANI : SHRI HUKAM CHAND KACHWAI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether India also attended the Afro-Asian conference which was held in Cairo on the 10th January, 1972; and

(b) if so, the subjects discussed thereat ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) A delegation from India attended the 5th Conference of the Afro-Asian Peoples Solidarity Organi sation, held in Cairo from January 10 to 13, 1972.

(b) A copy of the Agenda as adopted by the Conference is laid on the Table of the House. [*Placed in Library See*.No. LT—1592/72]

**Bangla Desh Refugees in Bihar**

1503. KUMARI KAMLA KUMARI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the total number of East Bengal refugees who came to Bihar from 25th March to 16th Decmber, 1971;

(b) the camps and places where they were kept, district wise, and

(c) total amount of expenditure mcu- d by both Central and State Govermment reon ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K KHADILKAR) : (a) and (b) The total nnmber of refugess who entered into Bihar was 8,641 They were accommodated in 7 State Transit Relief Camps in the District of Purnea Besides these, 28,091 refugees were moved to Bihar from West Bengal and were accommodated in the Central Transit Camp at Panchanpur in the District of Gaya.

(c) The entire expenditure incurred on givng relief assitance to refugees is borne by the Centre. The total expenditure upto the eud of this financial year on this account is estimated at Rs 326 crores for all States, including Bihar.

**Construction of Office Building and Staff Quarters for R.P.F.C., Trivandrum**

1504. SHRI VAYALAR RAVI : Will the Minister of LABOUR AND REHABILITATION be pleased to state

(a) whether the construction of the new Office building aud staff quarters for the employees of the Regional Provident Fund Commissioner's Office, Trivandrum has been delayed,

(b) if so, the reasons therefor; and

(c) the time by which Government propose to begin the construction of these buildings ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Provident Fund authorities have reported as under :—

(a) to (c). Drawings and Estimates for the construction of Regional Provident Fund Commissioner's Office building at Trivandrum have been approved Tenders for the pile foundation work have since been invited. Pile foundation work will be started on selection of a suitable pile foundation contractor Work on the building will be started soon after the pile foundation work is completed

As regards the proposal for the construction of staff quarters for the Employees' Provident Fund Organisation, the State Government of Kerala have issued instructions on 9 3 1972 to the Land Acquisition Collector for the acquisition of 7-1/2 acres of land in Pattom area As soon as the land is acquired, preparation of plans and estimates for the staff quarters will be undertaken

**Indians in Ceylon**

1505. SHRI VAYALAR RAVI Will the Minister of EXTERNAL AFFAIRS be pleased to state the total number of persons of Indian origin granted citizenship by Ceylon Government under the Shastri-Sirimavo Pact of 1964 ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : Will the end of December 1971 Ceylon has granted citizenship to 24,264 people of Indian origin, along with their natural increase of 4,254 under Indo-Ceylon Agreement of 1964.

**Repatriates from Ceylon**

1506. SHRI VAYALAR RAVI: Will the Minister of LABOUR AND REHABILITATION be pleased to state the total number of persons repatriated from Ceylon under the Shastri-Sirimao Pact of 1964 ?

THE MINISTER OF LABOUR AND PEHABILITATION (SHRI R.K. KHADILKAR). 53,563 (upto 18-3-1972).

**Trend in generation of Employment Opportunities**

1507. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the trend of generation of employment opportunities in the country since the last General Elections in 1971;

(b) the total number of persons registered with the Employment Exchange Centres all over the country prior to general elections and its present figure;

(c) the sectors where the situation for absorption of unemployed persons has improved and the number of persons offered employment in these sectors of economy; and

(d) the names of the States where the incidence of unemployment has continued to rise during this period and the specific steps Government have taken to arrest this rise ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR): (a) and (c). The available Employment Market Information which relates to the organised sector only shows that there was an increase of employment during the period January to June 1971 as follows:—

(*In lakhs*)

| | Public Sector | Private Sector | Total |
|---|---|---|---|
| December, 1970 | 105.76 | 67.01 | 172.77 |
| June, 1971 | 107.84 | 66.07 | 173.91 |

Data relating to subsequent period are not yet available.

It may be added that according to an assessment made in respect of the Drought Prone Areas Programme and the Crash Scheme for Rural Employment, the two major schemes initiated under the Special Programmes, the estimated generation of employment is as follows: —

Drought Prone Areas

Programme. ... 109 lakh man-days up to 31.1. 1972.

Crash Scheme for Rural Employment,... 322.39 lakh mandays.

as per Statement (No. 1) laid on the table of the House. [*Placed in Library, See* No. LT-1593/72]

(b) and (d). 40,68,554 as on 31st December, 1970 and 50,99,919 as on 31st December, 1971.

The rising trend is shown in all the States/Union Territories. Some of the important steps initiated by Government to increase the job opportunities are given in Statement (No. 2) laid on the Table of the House. [*Placed in Library*. See No. LT-1593/72]

**Cases Pending with Regional Labour Commissioner, Ajmer**

1508. SHRI CHANDRIKA PRASAD: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether the dispute regarding Protected Workmen by registered Trade Unions is pending consideration for years with the Regional Labour Commissioner, Ajmer;

(b) the total number of disputes pending for decision with the Regional Labour Commissioner, Ajmer, concerning the different Associations of Railway Employees, and the period for which these are pending; and

(c) the time limit for finalising such disputes by the Labour Commissioner and

the time needed by the Labour Commissioner for giving his decision on these pending disputes ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KADILKAR) : (a) to (c). Information is being collected on the subject.

**Setting up of a Steel Plant in Kerala**

1509. SHRI RAMACHANDRAN KADANNAPPALLI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the result of the survey conducted by the Geological Survey of India at Calicut in Kerala State is encourgning; and

(b) if so, whether Government propose to set up a steet plant in Kerala ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN): (a) and (b). The investigations being carried out by the Geological Survey of India on the iron ore deposits in Kozhikode District are still in progress. A view can be taken only after these invesigations are completed.

**Export of Wheat and Rice to Bangla Desh by food Corporation of India**

1510. SHRI C. JANARDHANAN :
SHRI BISHWANATH JHUNJHUNWALA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Food Corporation of India proposes to export wheat and rice to Bangla Desh; and

(b) if so, the quantity and terms and conditions thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). 4,00,000 tons of wheat and 1,00,000 tons of rice are being supplied *graties* to Bangladesh by the Food Corporation of India.

**Import of Newsprint from Bangla Desh**

1511. SHRI RANA BAHADUR SINGH :
SHRI B.K. DASCHOWDHURY

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government propose to import newsprint from Bangla Desh; and

(b) if so, the salient features of the proposal ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir.

(b) Newsprint worth Rs. 3 crores is proposed to be imported under the Trade and Payments Agreement with Bangla Desh.

**Talks held with British Foreign Secretary**

1512. SHRI PILOO MODY :
SHRI JAGANNATHRAO JOSHI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the British Foreign Secretary, Sir Alec Douglas-Home recently visited India and had talks with the Government of India on issues of mutual interest; and

(b) if so, the main features of discussion held with Sir Alce ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). Yes, Sir. The British Foreign Secretary, Sir Alec Douglas-Home led his Government's delegation at the annual bilateral talks between India and the United

Kidgdom, held in New Delhi on 7th and 8th February, 1972. The general international situation, situation in the subcontinent and other matters of bilateral interest were discussed.

**Missing File regarding purchase of Tents for Refugees**

1513. SHRI JYOTIRMOY BOSU : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether his attention has been drawn to a news published by *Anand Bazar* Patrika a Bengali daily published from Calcutta) in its issue dated the 9th September, 1971 under the caption "The File concerning purchase of tents for the refugees at the cost of 2 crores of rupees missing: and

(b) if so, the facts of the matter ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Yes, Sir.

(b) Enquiries made from the Government of West Bengal reveal that no file concerning purchase of tents for refugees at a cost of Rs. 2 crores is missing.

**Withdrawal of Indian Army from Bangla Desh**

1514. SHRI P. M. MEHTA :
SHRI P. GANGADEB :

Will the Minister of EXTERNAL AFFAIRS be Pleased to state whether the Governments of India and Bangla Desh have reached an agreement regarding the withdrawal of Indian army from Bangla Desh by the end of March, 1972 ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : The withdrawal of Indian troops was completed on 15th March, 1972. in advance of the agreed date, namaly, the 25th March, 1972.

**Indian Assistance to Bangla Dese for Rehabilitation of Refugeeh**

1515. SHRI R. S. PANDEY :
SHRI H. M. PATEL :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether India has given any assistance to Bangla Desh for the rehabilitation of refugees who have returned there from India;

(b) if so, the nature and volume of the assistance given in this regard; and

(c) the further steps being taken to provide assistance to Bangla Desh for this purpose in future ?

THE MINISTFR OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir.

(b) and (c). The following grants have been announced for the rehabilitation of regugees who have returned to Bangladesh from India :—

(i) A grant of Rs. 18.51 crores representing an amount equivalent to the cash doles to be given by the Bangladesh Government to refugees on the irretur to Bangla desh.

(ii) Relief materials, including 800 trucks. As on 4-3-1972 relief material in the amount oi Rs. 5.92 crores had been transferred.

In addition to these grants, the following loans and grants to Bangladesh have been announced for the general reconstruction of the economy :—

*Immediate requirements* :

(i) A grant of Rs. 25 crores for the purchase of goods and services.

(ii) The supply on grant basis of 4,00,000 tons of wheat and 1,00,000 tons of rice valued at about Rs. 53.3 crores.

(iii) A loan, the terms and conditions of which are to be negotiated,

for the purchase of two Fokker Friendship F. 27 aircraft in the 200 series for the use of Bangladesh Biman. In addition, expenditure on ground and flying training for pilots of the Bangladesh Biman amounts to Rs. 1,79,000.

(iv) A loan, the terms and conditions of which are to be negoriated, for the supply of tele-communications stores, valued at about Rs. 30 lakhs.

(v) A foreign exchange loan of £5 million bearing a rate of interest of 2½ repayable in 15 years after an initial grace period of 5 years.

(vi) Rs. 11,06,000 by way of expenditure incurred by tne Posts and Telegraphs for supplies of telecommunication stores, installation of equipment, printing and stationery work, supply of materials required by the Bangladesh Posts & Telegraphs Department,

(vii) A gift of telecommunication stores worth Rs. 28,825 from the Directorate General, Civil Aviation.

This assistance is in addition to the civil reconstruction work done by the Indian armed forces and the assistance rendered by 28 officers of the CALO (Civil Affairs Liaison Office) who were attached to the Bangladesh Government. The expenditure on these two accounts is not yet known.

*Medium term assistance* :

(i) An interest-free loan of Rs. 10 crores repayable in 20 year after an initial grace period of 5 years for the rehabilitation of the Bangladesh railway system;

(ii) A loan, the terms and conditions of which are to be negotiated, for the purchase by the Bangladesh Shipping Corporation of two ships from India;

(iii) A suppliers' credit in foreign exchange for the purpose of purchasing crude oil in the amount of Rs. 8.1 crore repayable in five years at the rate of interest of 6¼ per annum,

**Expansion of F.B.I. Into India**

1516. SHRI SAMAR MUKHERJEE : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government are aware of the approval by American President Nixon for the expansion of the Federal Bureau of Investigation into New Delhi; and

(b) if so the reaction of Government there to ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). Government have seen press reports to this effect. Constant vigilance is maintained in such matters.

**Loan to Bangla Desh for its Railway System**

1517. SHRI MADHURYYA HALDAR: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Government of Bangla Desh has asked for any loan from Government of India to rehabilitate its Railway system; and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir.

(b) A loan of Rs. 10 crores has been announced.

**Rise in Consumer Price Index**

1518. SHRI PAMPAN GOWDA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the rise in consumer price index during the past three years, year-wise; and

(b) the extent to which the rise has been neutralised in the wages of labour in private and public sector undertakings ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) . (a) The following statement indicates the All-India Working Class Consumer Price Index Numbers on base 1949-100 for the period 1968 to 1971 along with percentage decrease/increase over previous year

| Year | All India Consumer Price Index Number (Base 1949-100) | Percentage decrease/ increase |
|---|---|---|
| 1968 | 215 | |
| 1969 | 213 | (—) 0 93 |
| 1970 | 224 | (+) 5 16 |
| 1971 | 230 | (+) 2.68 |

(b) The relevant information is not readily available.

**Economic Aid to Mauritius**

1519. SHRI B S. BHAURA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have offered economic aid to Mauritius; and

(b) if so, the nature thereto ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir.

(b) The Government have offered economic aid to the Government of Mauritius in the shape of technical experts and equipment for several projects identified as suitable for such aid. Part of the aid will be given as an outright grant upto a limit of Rs. 101 lakhs and the rest of it has been offered as a loan upto an amount of Rs. 321 lakhs. All this aid will be applied to important sectors in the development plan of Mauritius. The following items will be covered under grant :

(i) Mahatma Gandhi Institute.

(ii) Advisory services for Western Coastal Region Irrigation Project.

(iii) Experts and Equipment for Industrial Technical Training Institute.

(iv) Subsidy for Maize supply for Livestock Feed Factory.

(v) Consultancy for Central Electricity Board.

(vi) Industrial Estate :

(a) Project and Feasibility Report.

(b) Machinery for common workshop and facilities centre.

(vii) Technical experts.

The loan will cover the following projects :-

(i) Western Coastal Region Irrigation Project

(a) Consultancy by WAPCOS for detailed designs, etc.

(b) Supply of derocking equipment.

(ii) Maize for Livestock Feed Factory: 5,000 tonnes.

(iii) Equipment for Telephone and Telex services.

(iv) Central Electricity Board-Machinery and equipment.

(vj Industrial estate-machinery for various industries.

**India's participation in Second Session OF U. N. Natural Resources Committee**

1520. SHRI P. GANGADEB :
SHRI C. T. DHANDAPANI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether India attended the second session of the U. N. Natural Resources Committee held on the 31st Janury, 1972; and

(b) if so, the proposals put forth by India in the said Conference ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a). Yes, Sir.

(b) The following proposals, as part of matters arising from the first Session, were considered at the Second Session of the Committee on Natural Resources :

(i) The desirability of a practical definition of the term "Natural resources" for the working purposes of the Committee.

(ii) A study of guidelines for action in the field of natural resources.

(iii) The concept of permanent sovereignty over natural resources of developing countries.

(iv) The desirability of holding an International Water Conference and the possible topics for consideration at the proposed Conference.

(v) The establishment of a United Nations revolving Found for Natural Resources Exploration.

(vi) Implementation of the Concept of natural resources advisory services.

(vii) Training and applied research relating to management and development of natural resources.

(viii) The nature of natural resources surveys.

**Protocol Signed between Poland and India for providing Collaboration in Coal Mining Exploitation of Non-Ferrous Metals, Heavy Machinery and Shipping**

1521. SHRI HARI KISHORE SINGH : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether India has signed a protocol with the Government of Poland during the month of January, 1972 for providing collaboration, particularly in coal mining exploitation of non-ferrous metals, heavy machinery and shipping; and

(b) if so, the main terms of the protocol signed ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a). Yes, Sir.

(b) The Polish and Indian delegations held discussions at the conclusion of which a Protocol was signed regarding the possibilities of co-operation in the coal mining industry, ship-building industry, engineering industry and trade. Both sides agreed to establish an Indo-Polish Commission for Economic, Trade, Scientific and Technical Cooperation.

**Visit by Naval Tata Team on behalf of Private Industry to Bangla Desh**

1522. SHRI SOMNATH CHATTERJEE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a seven-men team led by Shri Naval Tata on behalf of Private Industry visited Bangla Desh; and

(b) if so, the purpose of the visit and the reasons for which the Government gave permission ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) No, Sir.

(b) Does not arise

**Incorporation of "Fundamental" Right to work in Constitution**

1523 SHRI B. V NAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether in pursuance of Government's declared policy to give employment to all, Government propose to amend the Constitution of India to insert the "Right to Work" in the Chapter on Fundamental Rights, and

(b) if not, the reasons therefor ?

THE MINISTER OF LABOUR & REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). In the light of efforts already made and being made in the direction of creating more and more employment, and the limitation of resources, such a measure is not considered practicable at the present stage. 'Right to Work' has already been given an important place in the Directive Principles of State Policy enshrined in the Constitution.

**Discussion with Prime Minister of Bangla Desh**

1524 SHRI P. VENKATASUBBAIAH : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Sheikh Mujibur Rehman visited Calcutta during February, 1972; and

(b) the subjects discussed and the decisions arrived at ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a). Yes, Sir. Sheikh Mujibur Rehman, the Prime Minister of the People's Republic of Bangladesh, visited Calcutta from February 6 to 8, 1972, at the invitation of the Government of India.

(b) The text of the Joint Statement on the talks between the Prime Ministers of India and Bangladesh, which covers the subjects discussed and the conclusions arrived at, is placed on the Table of the House. [*Placed in Library. See* No. LT—1954/72].

**Joint Move by India and UK for Preveting the Indian Ocean from Becoming an Area of Arms Force**

1526 SHRI P. GANGADEB :
SHRI P. M. MEHTA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether India and U.K. are working out a joint move aimed at preventing the Indian Ocean from becoming an area of arms force for the big powers; and

(b) if so, the result thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) No, Sir. The Governments of India and the U K. are not engaged in any such joint move for preventing this area from becoming an area of arms race; India has however been always in favour of maintaining Indian Ocean as an area of peace.

(b) Does not arise

**Financial Assistance to Bangla Desh in Foreign Exchange**

1527: SHRI SUBODH HANSDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government of India have given or committed to give loan to Bangla Desh Government in foreign exchange;

(b) if so, the amount of loan advanced;

(c) whether these loans are given for any specific purposes; and

(d) if so, what are those specific purposes ?

THF MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): (a) to (d). The following loans in foreign exchange have been given to Bangladesh:

(i) A general purpose loan of 5 million Sterling.

(ii) Suppliers' credit of Rs. 8.1 crores in foreign exchange for purchase of crude oil.

**Indo-Bangla Desh Trade**

1528. SHRI JYOTIRMOY BOSU: Will the Minister of EXTERNAL AFFAIRS be pleased to state the broad features of scheme drawn up to develop trade relations between India and the Democratic Republic of Bangla Desh ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : The broad features are:

(a) Trade between the two countries will be on a State to State basis as far as possible;

(b) Provisions for border trade;

(c) Provisions for transit trade;

(d) General trade and payments arrangments.

**Review of Schemes to solve Educated Unemployment in Rural Areas**

1529. SHRI C. CHITTIBABU: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether any review has been made of the schemes implemented for solving edaucted unemployment in rural areas; and

(b) if so, the results of this review ?

THE MINISTER OF LABOUR & REHABILITATION (SHRI R.K. KHADILKAR): (a) and (b). No specific schemes have been undertaken for the educated unemployed in the rural areas alone. However, a number of special schemes have been initiated for providing increaing employment opportunitites for educats ed job-seekers which include: Expansion and Improvement of the Quality of Primary Education; Rural Engineering Service; Indian Oil Corporation Scheme for Dealership; Expansion of Consumer Cooperative Stores; Financial Assistance to entrepreurs for setting up of Industries; Advance Action on Investigation of Road Works in the 5th Plan, Setting up of a Design Unit for Rural Water-supply, Agro-Service Centres, etc. These special schemes have very recently been initiated and they are expected to pick up momentum during 1972-73. Therefore, it is too early to evaluate the results.

**हिन्दुस्तान स्टील लिमिटेड में घाटा**

1530 श्री फूलचन्द वर्मा:
श्री रोबिन सेन:

क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि:

(क) गत तीन वर्षों में, वर्ष वार, हिन्दुस्तान स्टील लिमिटेड के अन्तर्गत संयंत्रों को कुल कितना घाटा हुआ है, और

(ख) इस सम्बन्ध में सरकार ने क्या प्रतिकारात्मक कार्यवाही की है ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री साहनवाज खान): (क) हिन्दुस्तान स्टील लिमिटेड के विभिन्न कारखानों के पत्त तीन

वित्त वर्षों के कार्यपरिणाम निम्नलिखित थे:-

(करोड़ रुपये)

| कारखाना यूनिट | वर्षों में शुद्ध लाभ (+) हानि (—) | | |
|---|---|---|---|
| | 1968-69 | 1969-70 | 1970-71 |
| राउरकेला इस्पात कारखाना | (—)3.97 | (+) 7.83 | (+) 10.20 |
| भिलाई इस्पात कारखाना | (—)11.35 | (+) 3.65 | (+) 11.04 |
| दुर्गापुर इस्पात कारखाना | (—)17.37 | (—) 15.50 | (—) 20.40 |
| केन्द्रीय कोयला शोधनशाला संगठन | (+) 0.60 | (+) 0.37 | (+) 0.02 |
| राउरकेला का उर्वरक कारखाना | (—)1.11 | (—) 1.68 | (—) 2.60 |
| दुर्गापुर का मिश्र-इस्पात कारखाना | (—) 6.83 | (—) 5.78 | (—) 3.83 |
| अप्राप्त लाभ की व्यवस्था | (—)40.03 | (—) 11.21 | (—) 5.57 |
| | (+) 0.12 | (+) 0.64 | (+) 0.16 |
| शुद्ध परिणाम | (—)39.91 | (—) 10.47 | (—) 5.41 |

(ख) मालिक मजदूर संबन्धों, विशेष रूप से दुर्गापुर इस्पात कारखाने में मालिक-मजदूर सम्बन्धों की कठिनाइयों के बावजूद भी हिन्दुस्तान स्टील लि० के प्रबन्धक उत्पादन को यथाशीघ्र बढ़ाने के लिए हर संभव प्रयत्न कर रहे है। इन प्रयत्नों में काके भट्टियों की विशिष्ट मरम्मत, गैस की उपलब्धि बढ़ाने के लिए वैकल्पिक ईधनों का उपयोग, ईधन के साधनों में वृद्धि करने के लिए कुछ भट्टियो में आयल फायरिंग, उपकरणों की अच्छी उपलब्धि के उद्देश्य से रख-रखाव में सुधार, उत्पादन सुविधाओं में असंतुलन को ठीक करने के लिए आवश्यक मुख्य कार्यक्रमों को पूरा करने में तेजी लाना, फालतू पुर्जों, ऊष्मसह तथा अन्य आवश्यक माल की योजना बद्ध ढंग से प्राप्ति शामिल है। हिन्दुस्तान स्टील लिमिटेड यह सुनिश्चित करने के लिए हर सम्भव प्रयत्न कर रही है कि औद्योगिक विवाद आपसी बातचीत द्वारा तय किये जायं तथा उत्पादन प्रयत्नों में कामगारों का सहयोग प्राप्त करने में कोई बाधा न आए। कारखानों और कम्पनी के कार्यकरण पर सरकार टास्क फोर्स की सावधिक बैठकों और समीक्षा द्वारा निरन्तर नजर रखती है तथा सभी आवश्यक सहायता प्रदान करती है।

**Stenography Instructors in Delhi Administration**

1531. SHRI DALIP SINGH: Will the Minister of LABOUR AND REHABILITION be pleased to state:

(a) the progress made for conversion of temporary posts of Stenography Instructors of Delhi I.T.I.S. into permanent ones and confirmation of Stenography Instructors working in Delhi I.T.I.S, who have completed five years continuous service; and

(b) whether Stenography Instructors have been considered for promotion in

Grade I posts of Delhi Administration Ministrial Services recently for filling up the vacant posts of Superintendents ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K. KHADILKAR) : (a) Fourteen trmporary posts (repr esenting 80%: of the total number of I8 temporary posts) of Stenography Instructors in the Industrial Training Institutes in Delhi have have been converted into permanent ones with effect from 19 4.71

Since Stenography Instructors in the Industrial Training Institutes are born on a joint cadre of Stenographhers of the Delhi Administration, confirmations against the permanent posts will be made as soon as the joint seniority list of Stenographers and Stenography Instructors is finalised

(b) Yes.

**Powers to Invoke Defence of India Rules by a State Government**

1532. SHRI CHINTAMANI PANIGRAHI : Will the Minister of LABOUR AND REHABILITATION be pleasedto state :

(a) whether it is necessary for a State Government to get prior concurrence of the Centre to invoke the Defence of India Rules;

(b) whether the Tamil Nadu Government invoked the Defence of India Rules to deal with strike in Simpson Group of Industries without prior concurrence of the Centre; and

(c) if so, the reaction of the Centre thereto ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K. KHADILKAR) : (a) The Defence of India Rules indicate the cases where the prior concurrence of the Central Government is necessary before the exercise of powers conferred on the State Governments.

(b) and (c). The order notifying certain units of the Simpson Group of Companies as essential sesvices was issued by the Government of Tamil Nadu on 4th January 1972 under Rule 119 of the Defence of India Rules, 1971. Exercise of powers under Rule 119 by State Governments does not require prior concurrence of the Central Government This order was subsequently revoked by the State Government on the 14th Jan. 1972.

**Exploration for Self-sufficiency in Minerals**

1533. SHRI PAMPAN GOWDA : Will the Minister of STEEL AND MINES be pleased to state

(a) whether a long-term planning for exploration and development has been stressed by the Geological Survey of India (GSI) to achieve self-sufficiency in minerals, and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) (a) and(b) The Geological Survey of India have drawn up a ten year (1969-79) plan of mineral exploration for exploring and proving mineral deposits well ahead of projected requirements The programme envisages a total of 122,400 sq km. of large scale mapping and 15 6 lakh metres of drilling involving 6000 geologist years of work.

The first phase of the programme has been accepted by the Government and is already being implemented by Geological Survey of India in which it is proposed to cover an area of about 66,280 sq km. of large scale mapping, 8 6 lakh metres of drilling and 45,150 metres of mining in order to accelerate the mineral exploration Programme and to prove additional reserves of various minerals which would lessen the gap between demand and indigenous availability of certain minerals.

**Implementation of Coal Wage Board Award**

1534. DR. RANEN SEN : Will the Minister of LABOUR AND REHABILI-

TATION be pleased to state :

(a) the names of the Coal mines owners, who have not yet implemented the Coal Wage Board Award; and

(b) the steps proposed to be taken to implement the wage award ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) A statement giving the information is laid on the Table of the House [*Placed in Library See.* No. LT—1595/72].

This does not include the collieries where recommendations have been implemented partially.

(b) The recommendations are not enforceable statutorily. Efforts, however, continue to be made to secure implementation through persuasion and advice.

**Indo-Japan Talks**

1535. DR. RANEN SEN :
SHRI VEKARIA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether bilateral talks took place in Delhi between the Indian and Japanese officials;

(b) if so, whether the questions of Sino-American relations, the crisis in Vietnam and the developments in Bangla Desh were among the subjects discussed; and

(c) if so, the results thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) Yes, Sir. The Seventh Bilateral Consultative Talks between the officials of the Indian and Japanese Foreign Offices took place in Delhi on March 2 and 3, 1972.

(b) and (c). All important matters pertaining to international and bilateral relations were discussed. These discussions were of a confidential nature and it would be against normal practice to disclose their details.

**Diplomatic relations with Israel**

1536. SHRI R. R. SINGH DEO : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the attention of the Government of India has been drawn to the reports published in the National papers recently that the Government of India was planning to send a delegation to Israel to discuss the question of establishment of diplomatic relations between the two countries; and

(b) if so, the nature thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): (a) No such proposal has been under the consideration of the Government of India.

(b) The question does not arise.

**Geneva Disarmament Conference**

1537. SHRI P. GANGADEB :
SHRI C. T. DHANDAPANI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Geneva Disarmament Conference was held on the 29th February, 1972; and

(b) if so, the nature of subjects discussed in the Conference ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) The current session of the Conference of the Committee on Disarmament (CCD) commenced in Geneva on 29th February, 1972.

(b) The work of the Committee is based, *Interalia*, on (i) the provisional agenda of work adopted by the Committee on 15th August, 1968; (ii) resolutions regarding disarmament matters adopted by the UN General Assembly; (iii) past agreements in the field of disarmament and arms control.

The Committee does not consider any one specific subject to the exclusion of

others. Members can touch upon any subject falling within the purview of disarmament.

The UN General Assembly through resolutions adopted during its 26th session has drawn the attention of the current session of the Committee in particular to the following subjects :—

(i) The question of general and complete disarmament under strict and effective international control;

(ii) The question of an early agreement on the abolition of the production, stockpiling etc. of chemical weapons;

(iii) The question of a treaty banning underground nuclear werpon tests.

**Ceylon's refusal of Berthing Facilities for Tankers carrying Crude Petroleum to Cochin Refinery**

1538. SHRI P. GANGADEB :
SHRI C T. DHANDAPANI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state ·

(a) whether Ceylon declined an Indian request for berthing facilities for two tankers carrying crude petroleum to the Cochin Refinery during the Indo-Pak war; and

(b) if so, the reaction of Government thereto ?

THE MIMISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). The Government of Ceylon informed the Government of India that only non-military vessels carrying out purely peaceful activities unrelated to the hostilities would be allowed entry into Ceylonese territorial waters. The Government of India pointed out that the two ships carrying crude oil for the Indian Refinery should not be considered to be related to the hostilities. While these negotiations were proceeding, the hostilities came to an end, and the two tankers no longer needed any berthing facilities in Ceylon.

**Foreign Aid for Public Sector undertakings**

1539. SHRI ARJUN SETHI : Will the Minister of STEEL AND MINES be pleased to state :

(a) the steps Gevernment have taken to dispense with any kind of aid from Foreeign countries in the field of 'Steel' so as to increase the output in our public sector undertakings; and

(b) the progress Government have made at Rourkela Steel plant of Hindustan Steel Limited to speed up its production ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) · (a) A number of steps have been, and are being taken to reduce, and ultimately to eliminate, to the extent possible, dependence on foreign aid in the matter of increasing output from the existing public sector Steel Plants These steps are directed towards maximising indigenous contribution in the manufacture of plant and equipment by greater utilisation of available capacity in public and private sector enterprises in a coordinated manner, increased import substitution of spare parts and other consumables by maximising indigenous availability, creation of additional manufacturing capacity for refractories, strengthening engineering and consultancy services, reducing the number of foreign technicians etc.

(b) The reconstruction of the S.M.S. roof at Rourkela Steel Plant was completed ahead of schedule. Certain other steps designed to step up production like specialised repairs to coke oven batteries and oven equipment, maximum use of supplementary fuels, procurement of essential spares and other materials, provision of balancing and additional facilities etc. have also been taken. The production has already picked up to a good level.

**Reorganisation of Capital Structure of H.E.C., Ranchi**

1540. SHRI P.A. SAMINATHAN : Will the Minister of STEEL AND MINES be pleased to state the manner in which the

capital structure of Heavy Engineering Corporation, Ranchi has been reorganised resulting in the reduction of interest liability ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : On 31st March, 1971 the authorised and the paid up share capital of the Heavy Engineering Corporation was Rs. 100 crores. Government have approved of an increase of the authorised share capital to Rs 175 crores from 1.4.1971. The paid up share capital has been increased to Rs. 159.00 crores with effect from this date by conversion of a loan of Rs. 59 crores out of the loans outstanding against Heavy Engineering Corporation Ltd into equity This figure includes an amount of Rs 9 crores incurred as expenditure on township till 31 3 1971.

As a consequence of the conversion of loans to the tune of Rs 59 crores into equity, the interest liability of Heavy Engineering Corporation will be reduced by about Rs 2 34 crores during 1971-72 and about Rs 4 00 crores annually in the subsequent years

**Implementation of Recommendation of Expert Committee by Mining and Allied Machinery Corporation**

1541. SHRI P. A. SAMINATHAN : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the recommendations made by the Expert Committee in April, 1970 have been implemented by the Mining and Allied Machinery Corporation Limited; and

(b) the quantity and value of orders so far received out of anticipated orders for 61,000 tonnes of machinery and components valued at Rs. 55 crores to be received by the Corporation during 1970—74 ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) The recommendations of the Expert Committee on diversification of Production in MAMC are being implemented with the modifications required in the light of actual demands and in the interest of better profitability.

(b) Orders for about 36,200 tonnes valued about Rs. 34 crores have been received so far.

**लघु तथा सामान्य उद्योगों में कोयले की कमी**

1542. श्री राम रतन शर्मा:
श्री कून चन्द वर्मा:

क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या देश के अनेक भागों में कोयले की कमी के कारण गत 6 महीनों में अनेक लघु तथा सामान्य उद्योगों को जो हानि हुई है उसके बारे मे प्रकाशित समाचारों की ओर सरकार का ध्यान दिलाया गया है; और

(ख) यदि हा, तो इस बारे में राज्य-वार ब्यौरा क्या है और सरकार इस सम्बन्ध में क्या आवश्यक कार्यवाही कर रही है ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनवाज़ खां): (क) जी, हां।

(ख) लघु और साधारण उद्योगों द्वारा कोयले की कमी के कारण हुई हानि के सम्बन्ध में राज्य-वार ब्यौरा सुनिश्चित नहीं किया जा सकता है।

कोयले के उत्पादन में कोई कठिनाई नहीं है। लेकिन उपभोक्ताओं को कोयले के प्रेषण की कालावधि के दौरान, रेलवे वैगनों की कमी के कारण कुछ कठिनाई का सामना करना पड़ा था। केन्द्रीय सरकार द्वारा किए गए

प्रवृत्तियों के फलस्वरूप फरवरी, 1972 से बैंगनों की आपूर्ति-स्थिति में कुछ सुधार हुआ है।

**Educated Unemployed**

1544. SHRI BAKSI NAYAK :
SHRI VEKARIA :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the number of educated unemployed in the country during 1971 and how this figure compares with earlier two years;

(b) whether the unemployment figure has gone up during the last three years, if so, the reasons thereof; and

(c) whether Government are formulating proposals to provide employment to at least the educated people including engineers and technicians; if so, the salient features thereof ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KAHDILKAR) : (a) and (b). Precise estimates of unemployment in the country (including that among the educated) are not available. The available information, which relates to the number of work-seekers on the live register of employment exchanges (all of whom are not necessarily unemployed), is given below :—

| *Year* | *Number of work-seekers on the live register as at the end of the year.* | |
|---|---|---|
| | (in lakhs) | |
| | *Total* | *Educated work-seekers (matriculates and above, included in the total)* |
| 1969 | 34.24 | 15.26 |
| 1970 | 40.69 | 18.22 |
| 1971 | 51.00 | 22.96 |

The rise in the number of job-seekers is mainly due to (a) faster growth of labour force as compared to the employment opportunities generated by development schemes; (b) increased out-put of educational institutions during the past few years; and (c) short-falls in the rate of growth which has affected the absorptive capacity of the economy.

(c) Various development programmes included in the 4th Five Year Plan and in the Annual Plan of the Central and the State Governments are expected to generate increasing number of employment opportunities for the unemployed (including the educated). Earlier in 1968, the Government had also initiated certain special measures with a view to relieving unemployment among the engineers. These related *inter-alia* to, acceleration of investigation, survey and other preparatory work relating to irrigation, power and flood control projects to be taken up under the Plan, the expansion of practical training programmes for engineers to enable them to acquire training and experience in industry and grant of financial assistance and other facilities to engineers for setting up small-scale industries.

2. In the Budget for 1971-72, special provision of Rs. 25 crores was made for schemes designed to generate employment for educated classes including Engineers and technicians. The schemes so far approved by the Planning Commission under this provision in consultation with concerned Central Ministries/Departments include expansion and improvement of the quality of primary education, rural engineering surveys, Indian Oil Corporation's Scheme for dealership, expansion of consumer cooperative stores, setting up Agro service centres, financial assistance to entrepreneurs for setting up of industries, advance action on investigation of road works in the Fifth plan and setting up of a Design Unit for rural water-supply.

3. In the Budget Proposals for 1972-73, an aggregate provision of Rs. 125 crores has been made for special welfare schemes such as primary education (Rs. 30 crores); Special Employment Programmes (Rs. 60 crores); Slum Improvements (Rs. 15 crores); Rural Home-sites (Rs. 5 crores) and Rural

Water-supply (Rs. 15 crores). The amount of Rs. 60 crores under the Special Employment Programme would be for the continuation of the various programmes for educated unemployed taken up in 1971-72 and for organising new programmes both in rural and urban areas for which specific schemes are being formulated.

**Construction of Staff Quarters for E. P. F. C., Delhi**

1545. SHRI RAMAVATAR SHASTRI : SHRI MD JAMILURRAHMAN:

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a plot of land has been allotted by the Delhi Development Authority for construction of staff quarters for the Central Office of the Employees Provident Fund Organisation at Delhi, and

(b) if so, the time required for construction thereof ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Provident Fund authorities have reported as under —

(a) Yes.

(b) On current estimation, the project is likely to be completed in a period of about 2 to 2½ years commencing from the date of its start.

**House Rent to E.P., Employees in Delhi**

1546. SHRI RAMAVATAR SHASTRI: SHRI S. M. BANERJEE:

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the employees of the E.P.F. Organisation are given House Rent Allowance a 20 per cent of their pay at Delhi, while other autonomous bodies like State Trading Corporation are giving 30 per cent of H.R.A. to the employees; and

(b) if so, the reasons why the employees of the E.P.F. Organisation are not treated at par with the employees of similar other Organisations in the matter of H.R.A. ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): The Provident Fund Authorities have reported as under:—

(a) and (b). The employees of the Employees' Provident Fund Organisation are sanctioned house rent allowance at 20% of their pay at Delhi. The Employees' Provident Fund being primarily a service organisation rendering social security benefits without any profit motive, the Central Board of Trustees considered it appropriate to regulate pay and allowances including House Rent Allowance to the employees of the Organisation in tune with what is obtaining in the Central Government. Comparison with bodies like the State Trading Corporation which is administered on commercial lines was not considered proper.

**Removal of Machinery by Amlabad Colliery before take over**

1547. SHRI RAMAVATAR SHASTRI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether management of Amlabad Colliery had removed four French made coal-cutting machines from there before it was taken over by Government; and

(b) if so, the action taken by Government against the said company in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN): (a) Yes, Sir. From the records, it has been observed by the Bharat Coking Coal Limited that the Amlabad colliery had sold three coal cutters to Badjna Workshop and one of the Central Tounda Colliery, before the Amlabad colliery, along with other coking coal mines, was taken over by the Government.

(b) The value of this machinery will not be taken into account in the evaluation of the assets of the Amlabad colliery for determining the amount payable to its owners on nationalisation. It is also being examined if there is scope for any further action in this matter.

**Entry of Pakistan Nationals to Pakistan through India**

1548. SHRI RAMAVATAR SHASTRI
SHRI K SURYANARAYANA

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Indian passports forged in Calcutta were provided to Razakars and others who crossed from Bangla Desh to India on way to Pakistan, and

(b) whether any enquiry has been made and culprits arrested ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) (a) and (b). Government have seen press reports to this effect, but enquiries made have not corroborated them

**Reports of Study Groups on Training Standards**

1549. SHRI V MAYAVAN Will the Minister of LABOUR AND REHABILITATION be pleased to state·

(a) whether the Study Groups composed of representatives of industries, Employers Organisations and Workers' Organisations, which advise the Government and the Central Apprenticeship Council on various standards of training, have finalised their reports;

(b) if so, the salient features of their reports and the action taken by Government to implement them; and

(c) the nature of advice given by them so far and how it has been implemented by Government ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KAADILKAR) : (a) No.

(b) and (c). Do not arise.

**Bringing of Practical Training of Graduates and Diploma Holders in Engineering/Technology under Purview of Apprentices Act**

1550. SHRI V. MAYAVAN: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether the proposal to bring within the purview of the Apprenices Act the practical training of graduates and diploma holders in engineering/technology has been finalised,

(b) if so, the time by which the Apprentices Act is likely to be amended, and

(c) if not, the reasons for the delay ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K KHADILKAR) (a) Yes

(b) The draft Bill is under preparation and is likely to be introduced in the Parliament soon

(c) Does not arise

**Financial Assistance to Workers of closed Factories**

1551. SHRI JYOTIRMOY BOSU: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether Government have any scheme to give financial assistance to the families of those workers who are without any employment because of the closure of factories by the employers; and

(b) if so, the salient features of the scheme ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) Government of India do not have any such scheme.

(b) Does not arise.

**Financial assistance for setting up Mini Steel Plants**

1552. SHRI JYOTIRMOY BOSU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government propose to give any financial assistance to the parties who have been issued Licences or Letters of Intent to set up Mini Steel Plants in the country; and

(b) if so, the broad features thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN): (a) and (b). No, Sir. It is for the licencees of the electric furnace-cum-continuous casting units to negotiate and obtain necessary financial assistance from public financial institution.

**U.S.-PAK. Defence Pact**

1553. SHRI B.K. DASCHOWDHURY: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are in the know of the U.S.-Pak. Defence Pact signed on the 5th March, 1959; and

(b) if so, the main features thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): (a) and (b). The U.S.-Pak Defence Agreement signed on 5th March, 1959 is a public document and the text of this agreement was placed on the Table of the House on March 13, 1959.

**Allotment of Plots in E.P.D.P. Colony Kalkaji, New Delhi**

1524. SHRI B. K. DASCHOWDHURY : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether plots in the E. P. D. P. Colony near Kalkaji have been allotted to Army officials without any proper Press Note; and

(b) if so, the reasons therefor and the dates of submission of applications of such allottees for allotment of plots in the EPDP Colony ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). In the case of four officers of the armed forces who had applied, the last date for submission of application was relaxed. The application had been submitted on the following dates :

(i) 6-12-1967

(ii) 28-2-1968

(iii) 11-4-1968

(iv) 28-4-1969

Further in the case of members of Defence Forces, the condition of residence in Delhi was also waived.

**Issue of Import Licences regarding Import of Steel**

1555. SHRI G. Y. KRISHNAN : Will the Minister of STEEL AND MINES be pleased to state the names of the countries with whom the import agreement have been made during the last three years and the particulars of the parties to whom the licences have been issued ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : There is no agreement with foreign countries for import of steel as such. The annual Trade Agreements with Rupee Payment countries, and some credit agreements with other countries extending lines of credit contain enabling provisions, under which individual import contracts are finalised by parties holding import licences.

The details of import licences issued are published regularly in the "Weekly Bulletin of Industrial licences import licences & Export licences" published by the C.C.I. &E. Copies of the bulletin are available in the Parliament library.

**Production of Coal in Sarguja Coalfields**

1556. SHRI RANA BAHADUR SINGH : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the coalfields of Sarguja District have reduced their output of coal in view of the slum in the demand of coal; and

(b) if so, the steps Government propose to take to utilise this coal deposit to its full capacity ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) No; Sir.

(b) The production from the mines already developed in the Sarguja District is likely to go up as additional wagons are available to move the coal.

**Setting up of a Company for Coordinated Development of Iron and Steel Industry**

1557. SHRI BIRENDER SINGH RAO :
SHRI HARI KISHORE SINGH :

Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government have taken any decision for setting up a company for the co-ordinated development or Iron and Steel Industry in the country; and

(b) if so, the main features thereof and the time by which it will be set up ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) Yes, Sir.

(b) Government have decided to set up a Holding Company for Steel and associated input industries like coking coal, iron ore, manganese, etc. The Holding Company will own all the shares in public sector Corporations dealing with Steel, iron ore, coking coal and refractories and guide their work. It will also own all Government shares in joint sector companies in these fields. It will also act as the nominee of public sector financial institutions which possess shares in private sector steel companies, mining companies, refractory units and small steel producing organisations. The Company will, among other things, chalk-out long-term programmes of development, arrange for effective channelling of surpluses into further expansion of the industry, finance necessary technological changes and innovations and research and development progromme, and coordinate and supervise the operations of its companies in the connected sectors. This set up is intended to achieve economies of vertical integration and ensure coordinated growth at minimum cost.

Necessary action in regard to the formation of the Holding Company has been initiated and the Company will be set up as soon as possible.

**Integrated Development Programme for Unemployed**

1558. SHRI BIRENDER SINGH RAO : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government of India are formulating an integrated development programme to absorb various categories of the unemployed both rural and urban, in the country;

(b) if so, the broad outlines of the proposal; and

(c) the estimated number of unemployed likely to get employment under this scheme ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). A statement is attached.

(c). Precise estimates are not available. However, large numbers are expected to be benefited under the various programmes as mentioned in the statement attached in reply to parts (a) & (b) of the question.

*Statement*

In addition to the various development programmes included in the Fourth Five Year Plan and in the Annual Plan of the Centre and the States which would generate increasing number of employment opportunities in both rural and urban areas, Government have also formulated special schemes for dealing with the more vulnerable sections of the society and for the educated jobseekers. Among the schemes taken up so far, mention may be made of schemes relating to Small Farmers' Development Agency, Marginal Farmers & Agricultural Labour Projects, Crash Scheme for Rural Employment, Rural Works Programme in Drought Prone areas etc.

A special provision of Rs. 25 crores was also made in the Budget for 1971-72 for organising programmes specially for the benefit of educated persons including the technically qualified. The schemes so far approved by the Planning Commission under this provision in consultation with concerned Central Ministries/Departments include expansion and improvement of the quality of primary education, rural engineering surveys, Indian Oil Corporation's Scheme for Dealership, expansion of consumer cooperative stores, financial assistance to entrepreneurs for setting up of industries, advance action on investigation of road works in the Fifth Plan and setting up of a Design Unit for rural water-supply.

In the Budget Proposals for 1972-73, an aggregate provision of Rs. 125 crores has been made for special welfare schemes such as primary education (Rs. 30 crores); Special Employment Programmes (Rs. 60 crores); Slum Improvements (Rs. 15 crores); Rural Home-sites (Rs. 5 crores) and Rural Water-supply (Rs. 15 crores). The amount of Rs. 60 crores under the Special Employment Programme would be for the continuation of the various programmes for educated unemployed taken up in 1971-72 and for organising new programmes both in rural and urban areas for which schemes are being formulated.

**Implementation of Journalist Wage Board Recommendations to Samachar Bharti**

1559. SHRI S. M. BANERJEE : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Journalist Wage Board, appointed by Government, has made its recommendations; if so, the category under which the Samachar Bharti, New Agency, New Delhi has been placed;

(b) whether according to the recommendations; of the Journalist Wage Board, the Journalist and non-journalist employees of the Samachar Bharti are going to get the pay, dearness allowance, city allowance and other facilities; and

(c) if not, the steps Government have taken to implement the recommendations of the Wage Board and the result thereof ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c). Latest information is being collected on the subject.

**Implementation of "Khadilkar Formula" on Bonus in Kanpur Textile Mills**

1560. SHRI S. M. BANERJEE : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether "Khadilkar Formula" on Bonus has not been implemented in Kanpur Textile Mills:

(b) whether State Governments have been asked to implement the same by persuadmg the cmployers; and

(c) if so, the result of such persuation?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c). There is a dispute on this issue in some mills and efforts are under way to bring about a settlement.

**Completion of Khetri Copper Project**

1561. SHRI N. K. SANGHI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether according to an assessment made recently, the completion of the Khetri Copper Project will entail an expenditure of Rs. 115 crores as against an earlier estimate of Rs. 93 crores and it will now be completed during the Fifth Plan period instead of during 1970-71; and

(b) if so, the factors responsible for change in targets both with regard to cost and time of completion ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN ) : (a) The Capital Cost Estimates for Khetri Copper Project have been recently reviewed by the Hindustan Copper Limited and the Company has estimated that the Project will now cost about Rs. 115 crores as against Rs. 93 crores estimated in 1968. The revised cost estimates are under examination of the Government.

According to the earlier Time Schedule prepared in 1968, the Project was to be completed in 1971-72. However, due to various factors of implementation of the Project remained slow in the initial stages and in 1970 a revised time schedule was prepared for the Project. According to this, the Project will be fully commissioned in the last quarter of 1973-74.

(*b*) *Reasons for increase in Capital cost estimates :—*

The upward revision in the cost estimates is mainly due to the following reasons :—

(i) It became necessary to revise the earlier mining scheme to ensure that the mine production at the stipulated rates can be achieved as per time schedule. This necessitated additional mine openings and additional mining equipment for machanised mining;

(ii) In the case of Plants, the earlier estimates were based on preliminary process designs, particularly in the case of Smelter & Refinery. With the completion of the detailed designing, additional equipment not included in the earlier estimates had to be provided for in order to meet the process requirements.

(iii) A part of the increase is also due to general escalation in the prices of equipment, material and services over the last 4 years;

(iv) The delay of about 2 years in the completion of the Project has also resulted in additional expenditure of supervision, etc.

2. *Reasons for delay in the completion of the Project* :

The work at the Project was delayed mainly owing to unforeseen delays in the finalisation of design, specifications, etc. of certain specialised items of equipment and plant needed for the Project The delay in the indigenous procurement of equipment, slow progress in the completion of civil construction works for the Concentrator Plant and dearth of experienced and qualified persons in the field of metalhferrous mining and metallurgy, has also contributed to the delay in the completion of the Project.

Most of these problems have since been tackled and every effort is being made to ensure that the Project is completed as per revised time schedule.

**Cost of Production of Steel in India**

1562. DR. KARNI SINGH : Will the Minister of STEEL AND MINES be pleased to state :

(a) how the cost of production of steel in India compares with other countries; and

(b) the steps Government propose to take to bring down the cost ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) Details of actual cost of production of steel in other countries are not available as this

information is generally regarded as confidential. Information regarding the works cost of production of steel ingots (excluding depreciation and interest) in Inddia in 1970-71 is as follows :—

*Rs. per tonnes*

| | |
|---|---|
| Bhilai | 363 |
| Durgapur | 450 |
| Rourkela OH | 429 |
| Rourkela LD | 374 |
| TISCO | 413 |
| IISCO | 446 |

(b) During the year 1972-73 the targets for production of steel ingots are set at about four fifths of the capacity, as compared to actual production of about two-thirds at present. If the targeted production materialises, for which all possible steps are being taken, the cost of production of steel is likely to come down.

**Use of Camps vacated by Refugees**

1563. SHRI SUBODH HANSDA: Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government have any plan to utilise the rehabilitation camps set up for the Bangla Desh refugees, since repatriated; and

(b) if so, the nature of those plans ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). Instructions have already been issued that the existing camp structures which can be put to alternative use may be transferred to the District authorities for suitable utilization.

**Unification of Trade Unions**

1565. SHRI NIHAR LASKAR : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether any efforts are being made to bring in one fold all the major Trade Unions in the country with a view to serving the working class better; and

(b) if so, the steps being taken in this direction ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) and (b). Presumably the reference is to the current discussions between the representatives of the INTUC, the AITUC and the HMS on the possibility of setting up a joint National Council of Trade Union Centres to eliminate inter-union rivarly, promote healthy trade unionism etc. The representatives are taking the idea back to their respective organisations for the necessary mandate and guidance in the matter.

**Growth Rate of Employment in Services**

1566. SHRI D. P. JADEJA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether employment growth rate during 1969-70 and 1970-71 remained steady in the services group;

(b) if so, the reasons therefor; and

(c) the steps being taken to increase the rate of growth of employment ?

THE MINISTER OE LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). According to Employment Market Studies, which cover only the organised* sector, employment in services increased from 62.56 lakhs in March, 1969 to 64.15 lakhs in March, 1970 and 66.04 lakhs in March, 1971, recording a growth rate of 2.7 per cent and 2-6 per cent, respectively during the previous two years.

The slight decline in the growth rate in services is in tune with the overall employment situation in the organised sector.

(c) A statement is laid on the table of the House [*Placed in Library. See* No. L.T.—1596/72]

*All establishments in the public sector and non-agricultural establishments in the private sector employing ten or more persons.

**E.P.F. In Railways**

1567. SHRI Y. ESWARA REDDY: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether Indian Railways have been exempted from the operation of Employees' Provident Fund Act, 1952; and

(b) if so, whether there is any Provident Fund Scheme in the Railways which applies to the three lakhs of casual, subsitute and other daily employees of the Railways ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) The Railway establishments covered under the Employees' Provident Funds and Family Pension Fund Act, 1952 have been exempted from the operation of proyisions of the Employees' Provident Fund Scheme, 1952 (a) under Section 17 (1) (b) of the Act.

(b) Casual labour when employed in these establishments on Railways for periods exceeding 6 months as well as the substitutes become eligible to the Provident Fund benefits which are allowed to the temporary regular Railway staff.

**Labour Unions in Coal Mines in Bihar under N.C.D.C.**

1568. KUMARI KAMLA KUMARI: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the number of Labour Unions working in all the coal mines in Bihar State under N.C.D.C.;

(b) the names of the Labour Unions with the largest number of membership amongst them; and

(c) whether they have been recognised by the National Coal Development Corporation ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) to (c). The information is being collected.

**Review of Procedure for sending I.L.O. Delegation**

1569. SHRI DASARATHA DEB: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether Government have decided to review the procedure about sending I.L.O. Delegations; and

(b) if so, the decision taken ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KAHDILKAR): (a) The matter is under consideration.

(b) Does not arise.

**दिल्ली में श्रमिकों को कम मजूरी का भुगतान करना**

1570. श्री बनशाह प्रधान: क्या श्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या उनको इस बात की जानकारी है कि ठेकेदार, विशेषकर दिल्ली में जो दैनिक मजूरी पर श्रमिक रखते हैं, उन्हें रजिस्टर में दिखाई गई मजूरी की अपेक्षा कम मजूरी देकर उनका शोषण करते हैं; और

(ख) इस सम्बन्ध में क्या निरोधक कार्यवाही करने का विचार ?

श्रम और पुनर्वास मंत्री(श्री आर० के० खाडिलकर): (क) और (ख). पिछले वर्ष केन्द्रीय लोक निर्माण विभाग, सैनिक इंजीनीयिरी सेवा, रेलवे के अधीन ठेकेदारों के 243 प्रतिष्ठानों और केन्द्रीय क्षेत्राधिकार में आने वाले डाकतार जीवन बीमा निगम जैसे अन्य प्रतिष्ठानों में किए गए निरीक्षणों से पता चलता है कि रजिस्टरों में की गई प्रविष्टियों और वास्तविक भुगतानों में कोई अन्तर पकड़ में नहीं आया था ।

तथापि, निरीक्षणों के दौरान कुछ ऐसे मामले पकड़ में आये जिन में श्रमिकों के कुछ वर्गों को कम भुगतान हुआ था। ये मामले नियोजक विभागों के सम्बन्धित ठेकेदारों के साथ तुरंत उठाए गये और प्रश्नगत राशियां वसूल की गईं और सम्बन्धित श्रमिकों को अदा कर दी गईं।

**Amendment of Industrial Disputes Act**

1571. SHRI RAJDEO SINGH: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether Government contemplate to bring changes of comprehensive nature in the Industrial Disputes Act; and

(b) if so, whether these will cover the teachers and agricultural labour ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) Yes, Sir

(b) The question of extending protection of the Industrial Disputes Act to services like educational institutions is being considered in the light of the conclusions of the 29th Session of the Standing Labour Committee.

Workers in an agricultural operation, carried on as a business or trade, can even now be construed as being engaged in an 'industry' as defined in the Industrial Disputes Act.

**भारत-पोलैंड समझौता**

1572. श्री हुकम चन्द कछवाय: क्या विदेश मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या भारत और पोलैंड के बीच इस प्रकार का कोई समझौता हुआ है जिसके अन्तर्गत दोनों देश अन्तर्राष्ट्रीय महत्व के विषयों पर विचार-विमर्श किया करेंगे; और

(ख) यदि हां, तो उस समझौते की मुख्य बातें क्या हैं?

विदेश मंत्री (श्री स्वर्ण सिंह): (क) और (ख). जी हां। इस वर्ष 6 से 15 जनवरी तक पोलैंड लोक गणराज्य के उप-प्रधानमंत्री और खान तथा बिजली मंत्री, महामान्य श्री जान मित्रगा की भारत-यात्रा के दौरान द्विपक्षीय संबंधों और आपसी हित के अंतर्राष्ट्रीय मसलों से सम्बद्ध सभी मामलों पर समुचित स्तर पर भारत और पोलैंड के बीच प्रतिवर्ष परामर्श करते रहने का निर्णय लिया गया था। यह हमारे उस बर्ताव के अनुरूप है जो हम अपने अन्य मित्र देशों के साथ बरता करते हैं।

**अरब देशों द्वारा भारत-विरोधी प्रचार**

1573. श्री हुकम चन्द कछवाय: क्या विदेश मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या कुछ देश, जो अरब गणराज्य संघ में शामिल हैं, भारत विरोधी प्रचार कर रहे हैं; और

(ख) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है और इस सम्बन्ध में सरकार का क्या कार्यवाही करने का विचार है ?

विदेश मंत्री (श्री स्वर्ण सिंह): (क) और (ख). भारत सरकार का ख्याल है कि अरब गणराज्य महासंघ के एक सदस्य लिबिया की सरकार ने जो आलोचनात्मक टिप्पणी की थी, वह उप-महाद्वीप के तथ्यों और घटनाओं का गलत आकलन करने पर आधारित थी। यह मामला लिबिया सरकार के साथ उठाया गया था और यह अनुभव किया गया कि अब स्थिति की वास्तविकता के प्रति जागरूकता बढ़ रही है।

**Press in Foundry Forge Plant of Heavy Engineering Corporation, Ranchi**

1574. SHRI C. CHITTIBABU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Press in the Foundry Forge Plant of Heavy Engineering Corporation Ltd. Ranchi was commissioned by the end of 1971 as anticipated; and

(b) if not, the reasons for the delay ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN). (a) The question presumbly refers to the erection of the 6000 Tonnes Press in Foundry Forge Plant. This was due to be completed by the end of December, 1971 and commissioned by March, 1972 The press is now expected to be commissioned by the end of may, 1972.

(b) The delay has been mainly due to the late receipt of certain vital imported components and lack of sufficient skilled manpower with the contractor for the erection of electrical and mechanical components.

**Employment to Security Personnel of Rourkela Steel Plant**

1575. SHRI SHYAM SUNDER MOHAPATRA.
SHRI D. K. PANDA·

Will the Minister of STEEL AND MINES be pleased to state·

(a) whether Government propose to provide alternative employment to those security personnel of Rourkela Steel Plant found unsuitable for Industrial Security Force; and

(b) if so, the total number of alternative jobs at present available in the said Steel Plant ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) The management of Rourkela Steel Plant will offer appropriate employment to those of their Security Personnel who, having applied for absorption in the Central Industrial Security Force, are not so absorbed because of physical disability or other reasons beyond their control.

(b) There are no block vacancies. Alternative employment will be provided by the plant management as and when vacancies are located.

**Death of a Worker of Wagon Repair shop of Rourkela Steel Plant**

1576 SHRI SHYAM SUNDER MOHAPATRA Will the Minister of STEEL AND MINES be pleased to state

(a) whether one Shri Sukura Tanti of Wagon Repair Shop, Rourkela Steel Plant died in the afternoon of 11th February, 1972 in an accident, and

(b) if so, whether any enquiry has been conducted into the case of the accident and the responsibility fixed ?

THE MINISTER OF STATE IN THE MINISTRY ON STEEL AND MINES (SHRI SHAH NAWAZ KHAN): (a) Yes, Sir Shri Tanti met with a serious accident in the Rourkela Steel Plant on 11 2.1972 at 2 00 P M, while removing the housing of the Slag Car. He was removed to hospital where he died at 8.00 P.M. on the same day

(b) A Committee consisting of three Senior Officers of the Plant conducted an enquiry and found that the death of Shri Tanti was accidental.

**Publication of Advertisements in Dailies for Workers of Rourkela Steel Plant**

1577. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of STEEL AND MINES be pleased to state:

(a) whether advertisements in Oriya and English dailies were published at a cost of thousands of rupees to inform the Rour-

kela Steel Plant workers of Security Department, the last date for option to Industrial Security Force; and

(b) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN): (a) and (b). A Notification "Why Rourkela Steel Plant Security Personnel should opt for Central Industrial Security Force" was published in three English and five Oriya dailies, and in one weekly each in English and Oriya, at a cost of Rs. 7,410.

The Notification was issued not only to infom the Security Personnel about the last date for exercisng their option to join the Central Industrial Security Force, but also to clarify to them, the other workers of the Plant and the general public the position in regard to the terms and conditions of service in the Central Industrial Security Force.

**Life Insurance for Labourers**

1578. SHRI PRABHUDAS PATEL: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether a new step towards labour welfare was taken by the New Commercial Mills in Ahmedabad providing about 2,100 employees on its staff with life insurance cover for which they will not have to pay the premium;

(b) if so, the salient features of this proposed new scheme; and

(c) whether the Union Government are considering to have such schemes introduced in all the States and in the Government controlled mills ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) to (c). The information is being collected. It will be laid on the table of the Sabha as early as possible.

**Shortage of Coal in Textile Industry in Gujarat**

1579. SHRI PRABHUDAS PATEL: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Ahmedabad Millowners Association had stated that the coal stock position was causing grave anxiety to the textile industry in Gujarat;

(b) if so, whether the coal shortage remained unsatisfactory throughout the year; and

(c) the main reasons for the coal shortage and the steps being taken to improve the coal position in 1972 ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN): (a) to (c). The information is being collected and will be laid on the Table of the House.

**Production in New Steel Plants**

1580. SHRI PRABHUDAS PATEL: Will the Minister of STEEL AND MINES be pleased to refer to the reply given to Unstarred Question No. 669 on the 18th November, 1971 regarding the production in new Steel Plants and state the time by which three new steel plants are likely to be started at Visakapatnam, Hospet and Salem ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN): According to the schedule of construction as indicated by the Consultants in the Feasibility Reports, the Salem Steel plant can be commissioned in 1977-78 whereas the commissioning of the Vijayanagar and Visakapatnam Steel Plants would take about eight years from now.

**Workers participation in Management**

1581. SHRI P. M. MEHTA:
SHRI P. GANGADEB:

Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether the experiment of workers participation in management has not worked well; and

(b) if so, the reasons therefor ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K KHADILKAR) : (a) and (b). It is true that the experiment has not made the expected headway. This may be due to the persistance of the habits and institutions inherited and failure to alter them radically.

**Nationalisation of Coking Coal Mines**

1582. SHRI MOHAMMED SHERIFF:
SHRI V. MAYAVAN:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government propose to nationalise some more coking coal mines in the country, and

(b) if so, the particulars thereof and the steps taken by Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) and (b). Under the Coking Coal Mines (Emergency Provisions) Act, 1971, on and from the 17th October, 1971 the management of all coking coal mines has already been vested in the Central Government, pending nationalisation of such mines. It is proposed to nationalise those mines at an early date.

**Calcutta Port Workers Strike**

1583. SHRI P. VENKATASUBBAIAH: Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Calcutta port workers have postponed their strike call on the 3rd March, 1972 on his appeal;

(b) if so, their demands; and

(c) the steps taken to look into them and to avert the strike ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Yes, Sir.

(b) Their main demand at present is for adnitional *ex-gratia* payment of 41/3% of the wages for the accounting year 1970-71 over and above the previous figure of 4%.

(c) The matter has been discussed with the workers' representatives and some further discussions are likely to be held shortly.

**Misuse of Steel by Industrial Units**

1584. SHRI P K. DEO :
SHRI N. K. P SALVE :

Will the Minister of STEEL AND MINES be pleased to state :

(a) whether a number of instances have come to the notice of Government regarding misuse of steel by industrial units; and

(b) if so, the particulars thereof and the action, if any, being taken against such industrial units ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) Yes, Sir.

(b) During the years 1970 and 1971, 58 cases of mis-use of steel came to the notice of the Government. Out of this, 17 cases have already been referred to the CBI/State Police Authorities for investigation and 4 cases are being inquired into by the State Government/Regional Iron and Steel Controllers. "Show Cause" notice has been issued to 14 re-rollers. The remaining cases are in various stages of investigations.

**Effect to Indo-Pak. War on Indo-U.A.R. Relations**

1585. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the effect of the recent Indo-Pakistan War on our relations with U.A.R.;

(b) whether the Government of U.A.R has since made any noticeable shift in their policies to improve relations with our country; and

(c) if so, the reaction of the Government of India thereto ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) and (b). Our relations with the Government of the Arab Republic of Egypt continue to be close and friendly and have not been affected by the recent Indo-Pakistan war.

(c) Does not arise.

**Demonstration by employees of National Mineral Development Corporation in New Delhi**

1586. SHRI P. K. DEO : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the employees of National Mineral Development Corporation recently staged a demonstration in New Delhi against the decision of the Government of India to shift the Headqurters of National Mineral Development Corporation from New Delhi to Hyderabad; and

(b) if so, the reaction of Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) Yes, Sir.

(b) There is no change in the decision of the Government to shift the Headquarters of the N.M.D.C. to Hyderabad.

**Construction of Office Building for E. P. F. O., Delhi**

1587. SHRI R. P. YADAV : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether some land has been acquired by the Employees' Provident Fund Organisation for the construction of Central and Regional offices at Barah Khamba Road, New Delhi; if so, when and at what cost and whether the possession has been effected;

(b) whether the plans for the construction of the multipurpose building have been finalized; if so, the number of storeys of the proposed building and the expected cost of the construction including that of the accessories; and

(c) the time by which the construction work is to start, the time by which it is likely to be Completed and the special efforts being made to expedite the same ?

THE MIMISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Provident Fund Authorities have reported as under :—

(a) to (c). The Ministry of Works and Housing allotted a plot of land on Barakhamba Lane in August, 1970 for construction of an office building of the Employees, Provident Fund Organisation at a cost of Rs. 6.8 lakhs. Physical possession of the plot was given to the Organisation on 12-2-1971. The plot was cleared by demolishing two old bungalows on the plot, in July, 1971. The proposal is for the construction of a 13-storeyed office building. The plans have not yet been approved by the New Delhi Municipal Committee and hence it is not possible at this stage to give an estimate of the cost of construction. On current estimation, the pile foundation work would start about three months from the date of approval by the New Delhi Municipal Committee to the plans; and the entire work is expected to take about 2-1/3 years from the date ef sanction of the plans.

**Issue of Annual E. P. F. Statements to Subscribers**

1588. SHRI R. P. YADAV : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are aware that the accounts branches of the various Regional Offices of the Employees Provident Fund Organisation have not issued annual statement of accounts of the subscribers for several years despite the fact that the employees have submitted all the returns;

(b) whether Government have paid attention to this fact and the resultant frustration among the subscribers on the account ; and

(c) if not, the reanons why a special cell is not created under Regional Commissioner to expedite the issuance of the annual slips ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Provident Fund Authorities have reported as under .—

(a) to (c). All the annual statements of accounts for the year upto 1964-65 had been issued. Out of 218 96 lakhs of the accounts to be issued for the years 1965-66 to 1970-71, only 37.29 lakhs of accounts remained to be issued as on 31-12-71 Against a total of 37 29 lakhs of accounts outstanding, 21.32 lakhs could not be issued for want of requisite returns etc from the employers. Concerted measures have been takan to see that the remaining 15.97 lakhs of accounts are issued early.

**Irregularities in the E P.F. Statement of Accounts**

1589. SHRI R. P YADAV · Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether large scale irregularities have been noticed in the Employees' Provident Fund annual statement of accounts *e.g.*, in the name, opening balance and interest calculation; and

(b) if so, the reasons why effective steps are not considered to stop such recurring irregularities ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Provident Fund Authorities have reported as under :—

(a) No. However stray cases do come to the notice in which appropriate action is taken.

(b) Does not arise.

**Removal of Schedule Head to extend E.P.F. Act to all Industries**

1590. SHRI R. P. YADAV : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are considering a proposal to remove the schedule head of industries as one of the conditions to extend the Employees' Provident Fund Act, 1952 completely;

(b) whether by removing the schedule head of the industry, a large number of workers would have the benefit of membership of Employees Provident Fund Act, 1952 and many mines have not been covered as they do not fall within the schedule head, and

(c) if so, the reasons why a datailed list of all mines is not obtained from Director-General of Mines and Safety, Dhanbad and Emoloyees' Provident Fund Act applied to all the mines ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K KHADILKAR) · (a) to (c). There is no such proposal under cosideration of the Government. The Provident Fund Authorities have reported that they are conducting a survey in respect of establishments employing 20 or more persons as on 31-12-1971 which are engaged in an industry to which the Employees Provident Funds and Family Pension Fund Act, 1952 has not so far been extended. The Director General of Mines and Safety will be consulted in regard to extension of the Act to Mines not so far covered.

**Survey regarding Aluminium Deposits in Kerala**

1591. SHRI C. K. CHANDRAPPAN : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the Kerala Government had approached the Centre for conducting survey in Cannanore District in Kerala for finding out the quantity and quality of the Aluminium deposits available there; and

(b) if so, the reaction of Government thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES

(SHRI SHAH NAWAZ KHAN) : (a) and (b). A request was received from the Government of Kerala for accelerating Bauxite exploration in the State. The Geological Survey of India is already engaged in systematic exploration of bauxite deposits in Cannanore district. As a result of investigation in the Kumbla area in Cannanore district which was completed in October, 1968, a total reserve of 1.8 million tonnes of bauxite with 40% and above AL 203 has been estimated in Anantapurgudda, Perne Gudda and Naryanamangalam hillock Bauxite occurrences were also located in the Nileswar area where four blocks have been delineated for detailed investigations Test drilling in two blocks has been completed and the work in the other two blocks is in progress Reserves will be assessed after completion of drilling

**Indian Nationals in Pak. Jails**

1592 SHRI PAMPAN GOWDA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether several Indian nationals including some journalists kindnapped by Pakistan in April, 1971 are still in Pakistan jails, and

(b) whether Government would like to raise the issue regarding the fate of these Indians while settling the problem of exchange of war prisoners ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) . (a) Twelve Indian nationals, including two journalists, were taken into custody by Pakistan in April, 1971. Their exact whereabouts are not known.

(b) Government has on several occasions taken up with Pakistan the release of Indian nationals aud Pakistani jails.

**Common Labour Policy for proposed new Steel Plants**

1593. SHRI S. R. DAMANI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether a common labour policy has been evolved with regard to three new steel plants to be set up in the South; and

(b) if so, the main features thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF STERL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) and (b). No new labour policy is proposed to be evolved for the three steel plants to be set up at Salem, Visakhapatnam and Vijayanagar. The policy being followed in respect of other public sector undertakings will be applicable in the case of the three new steel plants also.

**Unemployment in Kerala**

1594 SHRIMATI BHARGAVI THANKAPPAN . Will the Minister of LABOUR AND REHABILITATION be pleased to refer to the reply given to Unstarred Question No. 5663 on the 22nd July, 1971 regarding unemployment in Kerala and state ; and

(a) the progress made in the examination of the proposals,

(b) whether Government have rece any new scheme from the State Governm of Kerala for solving educated unemp ment in the State; and

(c) if so, the salient feotures the and the action taken thereon ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) · (a) The schemes proposed by the Kerala Government based on the recommendations of the Committee on Unemployment in Kerala were considered by the Planning Commission and the views of the Commission have been conveyed to the State Government.

(b) and (c) At the time of submission of State Government's proposals for the Annual Plan 1972-73, the State Government submitted an additive Plan of employment schemes involving an investment of Rs. 44 crores during 1972-73 as per statement laid on the Table of the House. [*Placed in Library. See* No. LT—1597/72]

Due to financial constraints, the additive proposals have not yet been approved by the Planning Commission.

**Complaints from States regarding survey of mineral deposits**

1595. SHRI N. E. HORO : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government have received complaints from various States like Bihar, Orissa, Madhya Pradesh etc. in the matter of mineral deposit shown by the Department through survey; and

(b) if so, whether Government propose to enquire into the details regarding the comprehensive survey made in view of the vastness of the mineral deposits in the country ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) and (b). The information is being collected and will be laid on the Table of the House, when received.

**Meeting of Foreign Ministers of Non-Aligned Countries**

1596. SHRIMATI SAVITRI SHYAM: SHRI NAWAL KISHORE SHARMA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether a meeting of Foreign Ministers of neutral nations will be taking place in the near future;

(b) if so, the venue of the meeting; and

(c) the subject matters proposed to be discussed by India at the meeting ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : (a) It has been decided to have a meeting of Foreign Ministers of Non-aligned Countries before the U. N. General Assembly Session.

(b) The meeting is likely to be held at Georgetown (Guyana) in August this year.

(c) The purpose of the meeting is to have a broad review of world events since the last Non-aligned Meeting and to coordinate the policies of Non-aligned Countries on various items on the agenda of the forth coming U. N. General Assembly. Economic cooperation amongst Non-aligned Countries is also likely to be discussed. Details of the agenda, however, are still to be finalised. India intends to take part in these discussions.

**Export of Steel by Mineral and Metals Trading Corporation**

1597. SHRIMATI SAVITRI SHYAM: Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Minerals and Metals Trading Corporation have fixed a new target for exporting steel to foreign countries;

(b) if so, the quantum of the steel to be exported; and

(c) the names of countries who are the buyers of steel from India and the estimated foreign exchange to be earned ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) to (c). Minerals and Metals Trading Corporation do not fix any targets for export of steel, nor do they export steel themselves.

In view of the spurt in domestic demand, Government are following a regulatory policy in respect of export. This policy takes into account the need to fulfil commitments alreads entered into, the retention of markets gained to the extent feasible and the need to meet requirements of friendly neighbouring countries.

During the current year steel has been exported to Argentina, Burma, Hong Kong, Indonesia, Iran, Iraq, Japan, Kenya, Kuwait, Muscat, Singapore, South Korea, Sudan, U.A.R., U.S.A., U.S.S.R., and Yugoslavia. The estimated foreign exchange to be earned during 1971-72 is about Rs. 19 crores.

## दक्षिण वियतनाम द्वारा अन्तर्राष्ट्रीय नियंत्रण आयोग के भारतीय सदस्यों को बीजा देने से इन्कार

1598. श्री विभूति मिश्र: क्या विदेश मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या दक्षिण वियतनाम की सरकार ने अन्तर्राष्ट्रय नियंत्रण आयोग के भारतीय सदस्यों को बीजा देने से इन्कार कर दिया है;

(ख) यदि हां, तो इसके क्या कारण हैं; और

(ग) भारत सरकार की इस बारे में क्या प्रतिक्रिया है?

विदेश मन्त्री (श्री स्वर्ण सिंह) : (क) जी हां।

(ख) दक्षिण वियतनाम सरकार के अनुसार हनोई के साथ प्रतिनिधित्व का दर्जा बढ़ाकर और सैगोन के साथ ऐसा न करके, भारत ने अपनी तटस्थता और निष्पक्षता खो दी है और इसलिए उसे अन्तर्राष्ट्रीय अधीक्षण एंव नियंत्रण आयोग में अध्यक्ष की हैसियत से भाग लेने का कोई हक नहीं है ।

(ग) हनोई में भारतीय मिशन का दर्जा बढ़ाने का जो निर्णय भारत ने लिया, वह किसी भी रूप में दक्षिण वियतनाम सरकार के विरुद्ध नहीं है। वह स्थिति की वास्तविकता की मान्यता है और हमारे प्रभुसत्तात्मक अधिकार का उपयोग है। वियतनाम में अंतर्राष्ट्रीय अवीक्षण एवं नियंत्रण आयोग एक अन्तर्राष्ट्रीय संस्था है जोकि 1954 में जेनेवा सम्मेलन में भाग लेने वाले देशों ने बनाई थी और किसी भी एक पक्ष द्वारा इकतरफा तरीके से उसकी रचना में परिवर्तन करने या उसे कार्य करने से रोकने की कोशिश करना, नितांत अनुचित है।

## Collective Bargaining

1599. SHRI BANAMALI PATNAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the number of industrial disputes resolved as a result of collective bargaining during the last three years, year-wise; and

(b) the steps proposed to be taken to emphasise the importance of collective bargaining on the employees and employers?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) The number of settlements arrived at in conciliation, by mutual agreements and number of disputes referred to arbitration in the central sphere are as follows :—

| *Year* | *No. of settlements arrived at in conciliation* | *by mutual negotiation* | *No. of disputes referred to arbitration* |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| 1969 | 1228 | 528 | 70 |
| 1970 | 1063 | 524 | 55 |
| 1971 | 1009 (P) | 710 (P) | 13 |

(P)—Provisional

(b) The National Commission on Labour have made certain recommendations for promotion of collective bargaining and an overall scheme of industrial relations. The most important among them is statutory recognition of a representative union as the sole bargaining agent. The recommendations are being processed in consultation with all the interests concerned.

## Closure of Simpson group of Companies

1600. SHRI BANAMALI PATNAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the management of the Simpson Group of companies in Madras has announced the closure of their plant in Mount Road and other factories in suburban Sembium for an unspecified period;

(b) if so, the reasons therefor; and

(c) the steps taken or proposed to be taken to reopen the said plants ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) to (c). It is understood that all units of the Simpson Group have been reopened from March 22, 1972.

### स्वर्गीय मदन लाल ढींगरा की अस्थियों का लन्दन से भारत लाया जाना

1601. श्री ओंकारनन्दे राय: क्या विदेश मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार को इस बात की जानकारी है कि 1908 में कर्नल वाइल वाइली का लन्दन में वीरतापूर्वक वध करने वाले एक क्रांतिकारी स्वतन्त्रता सेनानी श्री मदन लाल ढींगरा की समाधि लन्दन मे है;

(ख) क्या सरकार को इस बात की भी जानकारी है कि उस 'समाधि' स्थल पर लगे पत्थर पर यह लिखा है कि, वह दिन शीघ्र आयेगा, जब भारत के युवक छात्र स्वतन्त्रता के बाद मेरी अस्थियां सम्मानपूर्वक भारत में ले जायेंगे"; और

(ग) क्या सरकार ब्रिटिश सरकार से उनकी अस्थियों को भारत लाने के प्रश्न पर बातचीत करेगी ?

विदेश मंत्री (श्री स्वर्ण सिंह): (क) और (ख). सरकार को मालूम है कि श्री मदन लाल ढींगरा, जिन्हें फांसी की सजा दी गई थी और जिन्हें 17 अगस्त, 1909 को पैन्टीनविल जेल में फांसी पर चढ़ाया गया था, यूनाइटेड किंगडम के किसी स्थान पर दफना दिए गए है। फिर भी, उसकी कब्र किस स्थान पर है, यह नहीं बताया गया है और इस कब्र को देखने के लिए ब्रिटिश गृह कार्यालय से अनुमति लेने के लिए लिखना होगा। ब्रिटिश गृह कार्यालय से पता चला है कि कब्र पर कोई लेख नहीं है, नाम भी नहीं है, बल्कि एक संख्या लिख दी गई है।

किसी स्थानीय भारतीय अथवा किसी भारतीय संस्था ने बाद में इस क्रांतिकारी स्वातन्त्र्य योद्धा की स्मृति में यूनाइटेड किंगडम के किसी अन्य स्थान पर इनकी समाधि बना दी हो, इसके बारे में आगे और पूछ ताछ की जा रही है।

(ग) कब्र का पता चलाने के बाद मामले पर विचार किया जाएगा।

### Assistance for cyclone Affecting Orissa

1602. SHRI ARJUN SINGH : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Central Govenment have extended all kinds of assistance to cyclone affected areas in Orissa to save the people from the danger of starvation;

(b) if so, the amount of assistance given in cash and kind;

(c) whether the monetary assistance is in the shape of grants or loans; and

(d) the steps the Centre has taken to create job opportunities in the affected areas ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) Yes, Sir.

(b) to (d). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT—1594/72]

### बिहार में बेरोजगारी

1603. श्री [illegible] सिंह: क्या श्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार इस बात से अवगत है

कि अन्य राज्यों की अपेक्षा बिहार में बेरोजगारी की समस्या अधिक गम्भीर है;

(ख) क्या बिहार की औद्योगिक फर्मों में भी बिहारियों को कभी उचित स्थान प्रदान नहीं किये गये; और

(ग) इस स्थिति मे सुधार के लिये सरकार की क्या योजना है ?

श्रम और पुनर्वास मंत्री (श्री आर० के० खाडिलकर) (क) देश में व्याप्त बेरोजगारी के यथार्थ आकड़े उपलब्ध न होने के कारण अलग-अलग राज्य (बिहार सिहत) के सबध मे यर्थाथ आकडे उपलब्ध नही है। उपलब्ध सूचना, जो रोजगार कार्यालयों के चालू रजिस्टर मे दर्ज काम चाहने वालों की सख्या के बारें मे हैं, संलग्न विवरण मे दी गई है।

(ख) इस सबंध मे कोई सूचना उपलब्ध नही है। तथापि, सरकार की नीति यह रही है कि स्थानीय जनता को उस क्षेत्र मे स्थित सरकारी उपक्रमो के रोजगार मे उचित हिस्सा दिया जाना चाहिए। इस बात को ध्यान मे रखते हुए ये अनुदेश जारी किए गए है कि सरकार उद्योग के ऐसे पदों का, जिनका वेतन 500- रुपये प्रति मास से अधिक नही है, भर्ती स्थानीय रोजगार कार्यालय द्वारा की जानी चाहिए, रोजगार कार्यालय द्वारा अनुपलब्धता प्रमाण-पत्र "जारी किए जाने के बाद ही अन्य स्रोत" इस्तेमाल करने होंगे।

(ग) भर्ती के मामले में राज्य सरकार के प्रतिनिधियों को सहयोजित करने के अलावा, सरकारी उद्यमों से संबंधित मंत्रालयों को यह लिखा गया है कि वे उपक्रमो को सलाह दे कि वे भावी भर्ती संबंधी मामलों को अग्रिम रूप से स्थानीय प्रशासन के ध्यान में लाएं ताकि वे इस संबंध में कार्यवाही शुरू कर सकें और सुनिश्चित कर सकें कि अधिक स्थानीय व्यक्ति स्थानीय रोजगार कार्यालय में अपने नाम दर्ज कराते हैं। इसके अतिरिक्त, यदि किसी उद्यम द्वारा इस संबंध में वर्तमान अनुदेशों का पालन न किए जाने के कोई दृष्टांत हों, तो स्थानीय रोजगार कार्यालय सामान्यतः उन्हे उचित कार्यवाही के लिए सरकार के ध्यान मे लाता है।

विवरण

| राज्य | संघ शासित क्षेत्र 31 दिसम्बर, 1971 को रोजगार कार्यालय के चालू रजिस्टर में संख्या |
|---|---|
| 1 आंध्र प्रदेश | 3,36,151 |
| 2 असम | 78,982 |
| 3 बिहार | 4,19,668 |
| 4 गुजरात | 1,70,964 |
| 5 हरियाणा | 99,315 |
| 6 हिमाचल प्रदेश | 45,273 |
| 7 जम्मु काश्मीर | 25,394 |
| 8 केरल | 3,57,381 |
| 9 मध्य प्रदेश | 3,15,592 |
| 10 महाराष्ट्र | 4,30,016 |
| 11 मैसूर | 2,70,053 |
| 12 उड़ीसा | 1,85,132 |
| 13 पंजाब | 1,18,869 |
| 14 राजस्थान | 1,39,825 |
| 15 तामिल नाडू | 4,59,654 |
| 16 उत्तर प्रदेश | 5,31,701 |
| 17 पश्चिम बंगाल | 8,68,121 |
| 18 चण्डीगढ़ | 19,761 |
| 19 दिल्ली | 1,39,220 |
| 20 गोआ | 10,557 |
| 21 अंकादीव | 1330 |
| 22 मणिपुर | 37,665 |
| 23 पाण्डेचेरी | 9,403 |
| 24 त्रिपुरा | 29,892 |
| योग | 50,99,919 |

## चूना, बाक्साइट, कोयला आदि के निक्षेप वाले मध्य प्रदेश के क्षेत्रों का आरक्षण

1605. श्री हुकम चन्द कछवाय: क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या मध्य प्रदेश में जबलपुर, बिलासपुर, दुर्ग, सरगुजा, सिधि, बेतुल और सतना जिलों के सैकड़ों गांवों को चूना, बाक्साइट और कोयला आदि के निपेक्षों के लिए आरक्षित कर दिया है;

(ख) यदि हां, तो क्या इसके परिणाम स्वरूप इस क्षेत्र का विकास अवरुद्ध नहीं हो गया है जो, अन्यथा विकसित हो गया होता; और

(ग) यदि हां, तो क्या सरकार का विचार सरकारी क्षेत्र के लिए अपेक्षित कम से कम क्षेत्र को अपने पास रख कर इतने बड़े क्षेत्र का व्यापक आरक्षण वापिस लेने का है?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां): (क) जी, हां राज्य सरकार द्वारा आरक्षित क्षेत्र, मध्य प्रदेश के सतना, बिलासपुर, रीवा, जबलपुर, दुर्ग, बालाघाट, मण्डला, बस्तर, शाहडोल, सुरगुजा और रायगढ़ जिलों में है। मण्डला और बालाघाट जिलों में राष्ट्रीय पार्क के विकास के लिए क्षेत्र अरक्षित किया गया है।

(ख और (ग). समस्त: खनिज विकास को दृष्टि में रखते हुए और समय समय यथा निर्धारित सरकारी नीति के अनुसार ही पब्लिक सैक्टर में समुपयोजन के लिए क्षेत्र आरक्षित किए जाते है। तथापि, ऐसे मामलों में जहां तत्पश्चात् यह पाया जाता है कि ऐसे क्षेत्र पब्लिक सैक्टर में समुपयोजन के लिए अपेक्षित नहीं है उनको निर्मुक्त किया जाता है।

## Cyclone Flood Advance to Employees of N.C.D.C. at Orissa

1606. SHRI B.K. DASCHOUDHURY Wil the Minister of STEEL AND MINES be pleased to state:

(a) whether cyclone/flood advance has not been paid to the employees of National Coal Development Corporation of the coal belt at Talcher, Orissa;

(a) whether other Central Government employees located at Talcher, Orissa are paid cyclone/flood advance equal to 9 months pay, not exceeding Rs.1000-; and

(a) if so, the steps being taken to pay the cyclone/flood advance to the the employees of collieries at Talcher, Orissa ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) (a): A proposal in this connection is under considerstion.

(b) No Sir. It may, however, be mentioned that under rule 249 of the General Financial Rules, the amount of an advance which may be granted to a Government servant is restricted to a maximum of Rs. 500/-or three months' pay, whichever is less. In cases where the grant of second advance becomes necessary, the quantum of the second advance plus outstanding balance of the first advance is is restricted to the limits prescribed in G.F. R 249. These limits were liberalised in the Ministry of Finance O.M. NO. F.18 (12) F.11 (A)/71 dated 9.12.1971. The benefit of these liberalised orders has also been extended to the Central Government employees affected by cyclone in Orissa.

(c) The rules mentioned in (b) above do not directly apply to the employees of the National Coal Development Corporation, which is a Government Company.

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12. hrs.

## Calling Attention to matter of Urgent Public Importance

## REPORTED CLOSURE OF COIR SPINNING YARDS OF KERALA

SHRI CM STEPHEN (Muvattupuzha): Mr. Speaker, Sir, I call the attention of the Minister of Foreign Trade to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The reported largescale closure of the coir spinning yards of Kerala and consequent unemployment of lakhs of workers and the shrinkage of coir products in the channel of export trade."

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A.C. GEORGE) : Mr. Speaker, Sir, according to the information available with the Government, there had been some minor dislocation in the Spinning sector of the Coir Industry in Kerala, as a result of the revision of minimum wages by the Kerala State Government in respect of coir industry. The State Government have decided to open purchase depots convenient places as a temporary measure by the Alleppey and Quilon Central Coir Marketing Co-operative Societies Ltd. While the yarn produced after the disbursement of minimum wages alone will be purchased, the yarn made out of machine-made fibre will not be accepted. For implementing the above schemc the State Govarnment have sanctioned a special loan of Rs.30/—lakhs.

There have been no adverse effect on the export as result of this minor dislocation which will be apparent from the fact that the export of coir products during April '70-Feb.' 71 was worth Rs. 5.94 crores and during April '71. Feb. '72 it was worth Rs 6.72 crores. A break up of the export figure in respect of coir products during the periods mentioned abve is placed on the table of the House. [*Plaeed in Library. See* No. LT-1577/72]

SHRI C.M. STEPHEN: I am surprised and shocked when the Minister informed the House that the problem in Kerala in the coir industry is miner, I am receiving Kerala papers every day and every issue of the paper gives frantic statements and comments and articles about almost the wholesale closure of the coir spinning yards in the State. The Minister stated that a small amount is sanctioned by the State Government with the specific condition that only yarns spun after paying the minimum wages will be purchased there. The position is, if that is the condition, no yarn will be purchased at all, because it is not possible to give minimmum wages at the moment. That is why the coir spinning yards are being closed down. Instead of Rs.16 crores, only Rs. 3 lakhs is sanctioned, That shows the callousness of the Government.

Now, may I point out to this House the seriousness of the problem ? The coir industry is a very vital industry. I am reading from the Administrative Report of the Ministery of Foreign Trade. It says:

"The coir industry, one of the largest cottage industries of the country is essentially an export-oriented industry, and it is exporting to the tune of 55,000 tonnes and is drawing foreign exchange to the tune of Rs. 15 crores."

At per the statistics quoted by the Coir Board, it is employing directly 7 lakhs of workers, and it is giving indirect employment to about 10 lakhs of people on the coastal belt of Keeala. That entire area is now paralysed. An absolutely frantic situation is prevailing there. How has this come about ? Let me explain it in two or three minutes.

There are three important sectors in the coir industry. One is the husk-retting or husk-soaking sector. Another which is at the other extreme is the exporting sector. In between there is the middle sector or the spinning sector and the coir producing sector. As far as the husk-retting sector is concerned, there are 24,000 people engain this. The total investment is to the tune of Rs. 10 crores. 37 per cent of these 24,000 persons are handling 97 per cent of the entire trade. The House will kindly realise from this that there is a monopoly existing at that end. At the other end, there are certain exporters who have nothing to do with production. They collect the orders and pass them down on extortionate terms. The husk-retting people give the husk only at extortionate prices. The other people pass on the order at expropriatory prices. That is what is happening. The effect of both these things comes on the workers,The result is that lakhs and lakhs of workers who are sandwiched between the two do not get minium wage; they get wages to the tune of only a rupee or so per day. They are the lowest-paid in the whole of this country and perhaps in the whole of the world too. That community is existing or subsisting on such low wages.

[Shri C. M. Stephen]

The position was analysed, and it was found that three measures had to be taken. One was control on the husk-retting side, and another was control on the export side and the third was strengthening of the co-operative sector in between. These were the three measures which were found to be necessary on analysis.

Steps were taken on the husk-retting side, and coir was brought under the Essential Commodities Act, The Coir Retting Licensing Order was issued by the Government of India, and the husk-retting was controlled. The orders ware issued. So far so good. But on the other side, a floor price was fixed but for the purpose of export, floor price not for the purpose of fixing the prices while passing on the order to the manufacturer. Therefore, it did not filter down to the manufacturer. It went to the benefit of the export, that is, it benefited only the exporter, for the purpose of exporting there was a floor price. On the basis of these to things, the State Government proceeded to declare a minimum wage. When the minimum wage was declared, the monopolists on the hurk-soaking side went to the High Court, and they got an order form the Hight Court under which the very basis of this arrangement went out, that is to say, the High Court struck down the order.

It was a very vittal matter when the High Court struck down the order. I am charging this Goyernment with callous indifernce in the matter of defending their case before the High Court struck down the order in the month of January. Here is an observation by the High Court:

> "The Union of India, that is, first Respondent, has entered appearance in the writ petition, but it has filed counter-affidavit in OP...wherein this point has not been raised. No counsel appeared for the Union at the time of hearing. I do not have, therefore, the advantage of hearing the Central Government in these cases, though they involve a question considerable and vital importance."

This was the observation of the High Court. On the basis of that, the order was struck down. The order on the basis of which the entire structure was built up was struck down *ex-parte*, if I may say so, because the advocate of the Union of India did not appear to argue the case. This happened in January.

I would like to know who handled this matter and which Ministry handled this matter and what kind of view was taken as a result of which the present position has come about when no husk is available at all. The alarming situation has been brought out in a statement given to us, MPs from Kerala, by the Stat Govenment of Kerala. I would like to quote two or three sentences from that statement.

> "In the meanwhile, some of the monopoly holders in the coconut husk trade filed writ petitions in the High Court of Kerala and got stay orders from implementing provisions of the said order. Further, the provisions of the order were also found to be not comprehensive enough to enforce strict control over the price and distribution of coconut husk and to bring the delinquents to book. Consequently, Government drafted an order by name the Kerala Coconut Husk (Control, Distribution and Regulation of Prices) Order 1971 and forwarded the same to the Government of India for approval. Even though the Government were reminded, the Central Government have not yet given clearance to the draft order...by which coconut husk has become a scarce commodity in the State where it is produced in plenty. To aviod further deterioration of a bad situation, the Government of India may be urged to convey their approval to the draft order immediately or to repeal the Coir Retting (Licensing) Order forthwith".

The State Government warned them that this was going to happen. They drafted an order and forwarded it to the Government. But for two months nobody seems to have attended to it. A vacuum has been created. Husk is not just available. Therefore, spinning yards are closing down, therefore, coir is not available. The Minister is now telling us that the export position is absolutely okay. He has quoted statistics upto March 1971. I am speaking about

the things that are happening today. If this state of affairs goes on, he will draw a big cipher at the end of 1972-73. This is the alarming situation.

What is the solution to the problem? The Government of India will have to consider in all seriousness the promulgation of some other order Some other order has got to be promulated. Either the Essential Commodities Act or the Coir Board or Coir Act has got to be amended to include in the definition husk also The delinquent advocate who brought about to book. What exactly has to be done now must be looked into

The solution is strengthening of the co-operative sector Here I quote a statement from the Mid-Term Appraisal of the Fourth Plan About coir they say.

> "Particular attention will need to be paid to reorganise the co-operative sector so as to place them on a viable basis, to ensure an adequate and smooth flow of institutional finance to bring about an improvement".

Who can implement the suggestion put forward by the Planning Commission? Certainly not the State Government. In this sector the State Government have already pumbed in Rs 3 crores to build up the co-operative sector The Central Government have given us only Rs 45 lakhs. They gave a loan of Rs. 1 18 crores Almost the entire loan has been paid back. What the State Government have done is not enough It has got to be built up. Money has got come in Out of the sweated labour of workers getting Re 1 a day working for 12 hours, 90 per cent of them women, the Government have collected by way of customs duty about Rs 1 crore per year. That money may be ploughed back to the co-operative sector.

In sum, the points I have got to make. (1) Anarchy has followed the annulment of the order; (2) The person who is responsible for not arguing the case of the Central Government has not been identified and no action taken against him; (3) The vacuum that has been created has not been filled and the statutory lacona has not been rectified so that husk may become available; (4) Export trade control has not been made fool-proof The export trade must be taken over so that the producer may get a price at which this commodity could be sold; and (5) the co-operatives have got to be completely strengthened Out of the Rs. 10 crores the Central Government have collected by way of customs duty, whatever is necessary has got to be pumped back so that the co-operatives may be strengthened, and the workers may be given their proper position

The attitude of the Central Government has all along been, I regret to say, one of indifference They say 'wait' waiti wait' For two years they are waiting.

MR. SPEAKER : Are you going to listen to me, or to the ringing of the bell, or not ?

SHRI C M. STEPHEN : I am closing.

MR SPEAKER . I am not ringing the bell as a hobby. It is meant to be taken seriously You have come with all those books and reports. Asimple question should have been put and you should have brought it to the attention of the Minister. Everytime I ask you, you say are putting the question I think this is the fourth or the fith question. Kindly wind it up, because other Members are also waiting. You, are not the only Member, I have a lot of further business to finish before lunch-time. SHRI C. M. STEPHEN : I am closing. With respect to the points that have raised, may I aek the Minister to give me the clarification ? (*Interruption*)

SHRI A. C. GEORGE : Mr. Speaker, Sir, apparently it may look like a Kerala matter, but I may humbly submit, agreeing the hon Member, that this is a vital industry affecting directly and indirectly 10 lakhs of poor workers and earning Rs. 14 crores as foreign exchange. We are quite aware of the difficulties in this sector.

I was not trying to console myself or the hon. Members with the statistics saying that it has not gone down. Since there was a specific question on that, I was only pointing out that there may be difficulties

[Shri A.C. George]

in this particular sector. This was prevailing for quite a long time. There are certain maladies which are very deep-rooted, and the hon. Member has very correctly pointed out that there are three major aspects in this industry. One is retting the other is producing, and the third is the exporting side. At present, it is rather ture that the entire earnings are being mopped up either by the retting people—it amounts only to a small figure-or by a few exporters. But during these years we have taken different measures to see that the producers ultimately are benefited. For that, the co-operative sector is the answer.

Coming to the specific question that the hon. Member has put. I have to admit that there is a remark by the hon. High Court Judge that the case was not argued properly (*Interruption*)

AN HON. MEMBER : It was *ex parte*.

SHRI A.C. GEORGE : The legal situation is, if an affidavit is filed, there is an argument there also. But I did admit that it was not argued properly. I may assure the House that on such an important matter, if there was any dereliction of duty, very serious steps will have to be taken against them.

MR. SPEAKER : It appears that the Call Attention motion is by arrangement !

SHRI A. C. GEORGE : If there is an element of compliment in it, I accept it. because the problem is well known to both of us. In such legal matters, I tried to enquire into the real position. The Home Ministry and the Law Ministry were in it, and there was some attempt to present our case, but there was some lacuna in it. I assure the House that remedial measures will be taken. But that is not alone.

Now, the most important remedy is. as the hon. Member suggested, to fill the vacuum. But about that, I may humbly submit that there are certain points in which the Government of India may be helpless and maybe the State Government has to do more.

In the fourth Five Year Plan, Rs. 10 crores are earmarked for cottage industries, wherein coir also is included. Out of this Rs. 10 crores, it is the State Government's prerogative to earmark such amount according to priorities. We understand that Rs. 3 crores are earmarked for the betterment of the coir industry. Recently, there was a discussion in the hon. Finance Minister's room, and we were all quite sympathetic to the demands of the State Government. But there are certain clarifications to be given by the Kerala State Government. As soon as they are over, we shall be moving fast and effective, and the maximum measures will be taken to see that the middle sector, most important sector, the producing sector, is vitalised by strengthening co-operatives.

Regarding the huskcontrol order, we are in touch with the administrative ministry the Industries Development and internal Trade and whatever steps are needed by amendment of the Coir Act or the Essential Commodities Act, we shall be taking them in consultation with that Ministry.

SHRI K. P. UNNIKRISHNAN (Badagara) : The coir industry is inescapably woven into the pattern of life of Kerala and life in Kerala depends on coconut and coir, which, thanks to the policy of the Ministry of Foreign Trade and Finance, are in doldrums. It is an export Industry and as in particular become the Cinderello of this Ministry. On 16.12 1970 in the Lok Sabha the hon. Minister of Foreign Trade, Shri L. N. Mishra stated that substantial and huge aid would be given to this industry. We do not know what has happened. An election has come in between. Despite the hon. Minister's classic under-statement, in the written statement they are prepared to concede that this industry earns not less than Rs. 15 crores of foreign exchange. Nearly 1.2 creres of people are employed in this industry. Still the hon. Minister says that there has been a minor dislocation. The industry makes a tremendous contribution to the national exchequer, compared to the meagre wages that they earn. Still there has been an unfortunate tendency on the part of the Goverdment of India and the Ministry of Foreign Trade to pass the buck to the State Government, whether it was led by Namboodiripad or Achuta Menon. It has been a regular feature unfortunately with the Centre. What has happened to the

repeated requests of the present United Front Government for a small sum of Rs. 1.5 crores—it is small compared to Rs. 14 crores of foreign exchange it earns and the employment it offers. What has happened to the assurance of the hon. Minister made in this House on 16.12, 1970, to which I referred earlier ? In view of what my hon. friend Stephen has said. will there be a notification about the invalidation of the Act in question ? Will the Ministry of Foreign trade continue to treat this industry as the Cinderella because I know for other areas which earn Rs. 5 or 6 crores the Ministry is pumping in Rs 3 or Rs 4 crores annual. I would like to know why this coir industry alone is given this treatment. Is it because we are wholly dependent upon this ?

SHRI A. C. GEORGE : There is absolutely no question of treating the coir industry as a cinderella or meting out to it, a step-motherly treatment. This is quite important, and we are aware of that.

The hon. Member was raising a point regarding a scheme submitted by the Kerala Government. The original scheme was submitted a few years back. and that scheme, as my hon. friend Mr. Stephen pointed out, was aimed at strengthening the co-operatives and strengthening the producing sector of it In that also there were certain schemes of remedial measures to be taken in the retting operation. But the scheme of the Kerala Government was studied by the Planning Commission, and it was found that instead of spending Rs. 15.59 crores as desired by the Kerala Government, it could be implemented, in the light of the nationalisation of banks with Rs. 6.99 crores, and it was found that nearly Rs, 4.5 crores of this expenditure could be met by institutional financing, and that there was no need for direct grant or aid. But subsequently it was found that since this coir industry is a sector which employs the weaker section of the people, and there are some intrinsic defects in the co-operative system, it was difficult to make institutional finance available. For provision of institutional finance, it has to be a production co-operative, but the nature of the coir co-operatives is that for years together they do not come directly within the purview of production co-operatives. Further, if a loan is to be given, it has to be a viable unit, but in the present situation, unless some money is pumped, the co-operatives will not become viable, and unless they are viable, financial institutions will not help. So, this is a vicious circle, and we wanted to tackle this basic point. And in this context, as I referred to earlier, further discussions were held, and I can assure the House and the hon. Member that very soon we will be able to solve this problem of strengthening the co-operatives with necessary aid to the Kerala Government.

The hon. Member also raised a point regarding a fresh notification. I assured on an earlier occasion also that whatever is the best step to fill this vacuum will be taken without any delay whatsoever.

I thank the hon. Members for highlighting the crisis, if at all there was any-Nobody is backing out of the assurance given by my senior collengue, the Minister of Foreign Trode. I have said that all the necessary help will be given.

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**12.29 hrs.**

## RE: MOTION FOR ADJOURNMENT
*( Query )*

SHRI K. BALADHANDAYUTHAM (Coimbatore) : I have tabled on adjournment motion.

MR. SPEAKER : I have conveyed to you that I have not allowed it.

SHRI BALADHANDAYUTHAM : If you are rejecting it, you may read out the motion and say why, you are rejecting it.

MR. SPEAKER : I am sorry, the Speaker does not explain things inside the Houses.

SHRI BALADHANDAYUTHAM : It is a matter of such importance that because of a trouble between the Central Government and the State Government, 2,000 employees are put out of jobs, I have tabled a short notice question, I have asked for a half-hour discussion, I have given notice of a calling attention, I have used every form avaiable and lastly I have tabled

[Shri K. Baladhandayutham]
an adjournment motion, If this matter cannot be brought before the House, what is the use of our being Members here ? I do not know how to go about it. It is a matter of very great importance. About 2,500 employees in the city of Madras are without employment because of some controversy between the Centre and the State. The Finance Minister can get up and say that these people will not be retrenched.

MR. SPEAKER : We have been following the practice that on question of day to day administration no adjournment motions are allowed. This is also a matter which concerns the State Government. He may give notice of a Short Notice Question so that I may pass it on to the Minister.

SHRI K. BALADHANDAYUTHAM : Thank you.

MR. SPEAKER : My only fear is that the same excuse may not be trotted out. I will frame it in such a way that it becomes admissible, I hope the Minister will care for my advice also and not send it back.

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12.31 hrs.

## PAPERS LAID ON THE TABLE

### NOTIFICATIONS UNDER CUSTOMS ACT, INDIAN AIR TRAVEL TAX ACT, CENTRAL EXCISE AND SALT ACT, GOLD (CONTROL) ACT, ETC. ETC.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : I beg to lay on the Table

(1) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962;

(i) G.S.R. 306 published in Gazette of India dated the 11th March 1972 together with an explanatory memorandum.

(ii) G.S.R. 328 published in Gazette of India dated the 18th March, 1972 together with an explanatory memorandum. [*Placed in Library. See.* No. LT—1579/72]

(2) A copy of Notification No. G.S.R. 196 (E) (Hindi and English versions) published in Gazette of India dated the 18th March, 1972 under sub-section (3) of section 8 of the Inland Air Travel Tax Act, 1971. [*Placed in Library. See.* No. LT—1578/72]

(3) A copy each of the following Notifications (Hindi and English versions) under section 38 of the Central Exise and Salt Act, 1944:—

(i) The Central Exise (Third Amendment) Rules, 1972, publishing in Notification No. G.S R. 301 in Gazette of India dated the 11th March, 1972.

(ii) The Central Excise (Fourth Amendment) Rules, 1972, publishing in Notification No. G.S.R. 304 in Gazette of India dated the 11th March, 1972. [*Placed in Library. See* No. LT—1580/72]

(4) A copy each of the following Notifications under sub-section (3) of sect'on 114 of the Gold (Control) Act, 1968.

(i) The Gold Control (Grant of Certificates) Amendment Rules, 1972 (Hindi and English versions) published in notification No. S. Q. 128 (E) in Gazette of India dated the 8th February, 1972.

(ii) S. O. 206 (E) published in Gazette of Inndia dated the 17th March, 1972 containing corrigendum to the English versions Notifiaction No. S.G. 128 (E) dated the 8th February, 1972. [*Placed in Library. See* No.LT—1581/72]

(5) A copy of the Wealth-tax (Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. S.O. 165 (E) in

Gazette of India dated the 25th February, 1972 under sub-section (4) of section 46 of the Wealth-tax Act, 1957. [*Placed in Library. See* No. LT—1582/72]

(6) A copy of the Gift-tax (Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. S. O. 166 (E) in Gazette of India dated the 25th February, 1972, under sub-section (4) of section 46 of the Gift-tax Act, 1958. [*Placed in Library. See* No. LT—1583/72]

(7) A copy of the Companies (Profits) Surtax (Amendment) Rules, 1972 (Hindi and English versions) published in Notification No S. O 167 (E) in Gazette of India dated the 25th February, 1972 under sub-section (3) of section 25 of the Companies (Profits) Surtax Act, 1964 [*Placed in Library. See* No. LT—1584/72]

(8) A copy of the Income-tax (Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. S.O. 175 (E) in Gazette of India dated the 6th March, 1972, under section 296 of the income tax Act, 1961. [*Placed in Library. See* No. LT—1585/72]

## REVIEW AND ANNUAL REPORT OF REHABILITATION INDUSTRIES CORPORATION LTD. CALCUTTA

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION : (SHRI BALGOVIND VERMA) Sir, on behalf of Shri Khadilkar. I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :—

(i) Review by the Government on working of the Rehabilitation Industries Corporation Limited, Calcutta, for the year 1970-71; and

(ii) Annual Report of the Rehabilitation Industries Corporation Limited, Calcutta, for the year 1970-71 along with the Audited Accounts and the Cemments of Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT—1586/72]

## REVIEWS AND ANNUAL REPORT OF TUNGABHADRA STEEL PRODUCTS LTD. AND NEYVELI LIGNITE CORPORATION LTD.

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : I beg to lay on the Table a copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956.

(1) (a) Review (Hindi and English versions) by the Government on the working of the Tungabhara Steel Products Limited, for the year 1970-71.

(b) Annual Report of the Tungabhadra Steel Products Limited, for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor Ceneral thereon. [*Placed in Library See* No. LT—1587/72]

(2) (a) Review (Hindi and English versions) by the Government on the working of the Neyveli Lignite Corporation Limited, for the year 1970-71.

(b) Annual Report (Hindi and English versions) of the Neyveli Lignite Corporation Limited, for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed inLibrary. See* No. LT— 1588/72]

## ANNUAL REPORT ON WORKING AND ADMINISTRATION OF COMPANIES ACT, 1956

THE DEPUTY MINISTER IN THE DEPARTMENT OF COMPANY AFFAIRS (SHRI BEDABRATA BARUA) : I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) on the working and administraiion of the Companies Act, 1956, for the year 1970-71 under section 638 of the said Act. [*Placed in Library. See* No. LT—1589/72]

## DOCK WORKERS (ADVISORY COMMITTEE) AMENDMENT RULES, 1971

SHRI BALGOVIND VERMA : I beg to lay on the Table a copy of the Dock Workers (Advisory Cemmittee) Amendment Rules, 1971 (Hindi and English versions) published in Notification No. S. O. 3 in Gazette of India deated the 1st January, 1972 under sub-section (3) of section 8 of the Dock Workers (Regulation of Employment) Act, 1948. [*Placed in Library. See* No. LT—1590/72]

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**12.33 hrs.**

## MESSAGE FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following message received from the Secretary of Rajya Sabha :—

"In accordance with the provisions of sub-rules (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Vote on Account) Bill, 1972 which was passed by the Lok Sabha at its sitting held on the 25th March, 1972, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

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## ASSENT TO BILL

SECRETARY : Sir, I lay on the Table the Appropriation (Railways) Vote on Account Bill, 1972 passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 25th March, 1972.

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## ESTIMATES COMMITTEE
### SIXTEENTH REPORT

SHRI AZIZ IMAM (Mirzapur) : Sir, I beg to present the Sixteenth Report of the Estimates Committee on the Department of Supply regarding action taken by Government on the recommedations contained in the Hundred and Twenty first Report of the Estimates Committee (Fourth Lok Sabha) on the Ministry of Supply Directorate General of Supplies and Disposals (Supplies Wing).

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**12.34 hrs.**

## BUSINESS OF THE HOUSE

THE MINISTER OF PARLIMANTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : With your permission, Sir, I rise to announce that Government Business in this House during the week commencing Monday, the 3rd April, 1972, will consist of :—

(1) Consideration of any item of business carried over from today's order paper,

(2) Consideration and passing of :—

(i) The Indian Copper Corporrtion (Taking over of Management) Bill, 1972.

(ii) The Contingency Fund of India (Amendment) Bill, 1972.

(iii) The Administrators—General (Amnendment) Bill, 1972, as passed by Rajya Sabha.

(iv) The Public Wakfs (Extension of Limitation) (Delhi Amendment) Bill, 1972, as passed by Rajya Sabha.

(3) Discussion on the 'Fourth Plan —Mid Term Appraisal;

Some hon. Members *rose*—

MR. SPEAKER : I propose to call a meeting of the Business Advisory Committee.

SHRI S. M. BANERJEE (Kanpur) : Many of the Members may not be present today. It should be announced at least a day in advance.

MR. SPEAKER : The discussion of the Mid Term Appraisal is pending for a long time.

SHRI S. M BANERJEE : I hope sufficient time will be allotted to it.

MR SPEAKER : I am calling a meeting of the BAC We will discuss it there.

श्री हुकम चन्द कछवाय मुरेना: अध्यक्ष महोदय, मैं आप की आज्ञा से एक जानकारी चाहता हू। शिड्यूल्ड काम्ट्स और शिड्यूल्ड ट्राइब्ज सम्बन्धी बिल बहुत समय से पड़ा हुआ है। उस पर कब विचार किया जायेगा ?

अध्यक्ष महोदय: माननीय सदस्य को मालूम होना चाहिए कि इस बारे में कुछ कहने से पहले मुझे लिख कर भेजना पड़ता है। आप थोड़ी तक्लीफ़ किया करें। आप बिजनेस एडवाइज़री कमेटी में आ जायें। हम बात कर लेंगे और चाय का प्याला भी पीयेंगे।

SHRI SAMAR GUHA (Contai) : Sir, I want to draw the attention of the Minister of Foreign Trade, through you, to two big events which took place recently, namely, Indo-Bangladesh Treaty and the Indo-Bangladesh Border Trade Treaty. It is naturally expected that the House should be allowed to make some observations in praise of that. It would be in the fitness of things that these two things are taken into consideration by the House, for which at least two hours are quite necessary.

Secondly, for the last two weeks there is an agitation going on in the Indian Airlines by the ground engineers, resulting in serious dislocation of flight schedules and even suspension of some services. I have given a Calling Attention Notice on that.

MR. SPEAKER : Will he please listen to me ? If he wants a discussion, he can give it in writing. It will be placed before the BAC. This statement is about the business for the coming week. If he wants to have something which is not there, let him write to me so that I will place before the BAC.

SHRI S. M BANERJEE : I have nothing against the business which has been announced for next week. I would only submit that 30,000 census employees are without employment. We are getting telegrams from all over the country. We want the Minister to make a statement during next week.

MR. SPEAKER : Give it to me in a concrete shape. I will pass it on to the Minister.

SHRI S M. BANERJEE : I have already given a Calling Attention Notice. Let the Minister say as to how those employees are going to be absorbed.

SHRI SAMAR GUHA : My point is also similar, about the agitation by the ground engineers of Indian Airlines because of which people have to remain in aerodromes for hours. I gave notice of a Short Notice Question. But it has not been accepted.

MR. SPEAKER : My observation is the same; if yon send it to me in writing, I will forward it to the Minister.

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12.38

## MOTION OF THANKS ON THE PRESIDENT'S ADDRESS

MR. SPEAKER : The House will now take up further consideration of the Motion of Thanks on the President's Address. SHRI Shashi Bhushan will continue his speech. He has already taken 9 minutes. He may take another 4 or 5 minutes.

**श्री शशि भूषण** (दक्षिण दिल्ली) : अध्यक्ष महोदय, आज आप ने समय पर नियन्त्रण लगा दिया है, लेकिन मैं कहना चाहता हूं कि कल जब मैं भाषण दे रहा था, तो श्री कछवाय ने बार-बार कोरम का सवाल उठाया और मेरा समय लिया मैं चाहूंगा कि कम से कम आज वह मुझे अपना भाषण करने दें ।

**श्री हुकम चन्द कछवाय** (मुरेना) माननीय सदस्य ऐसी कोई बात न कहे, जिस पर हमे कुछ कहना पडे ।

**श्री शशिभूषण** आज मैं उन की तारीफ करूंगा ।

**अध्यक्ष महोदय** आप किसी दिन श्री कछवाय से बात कर लें । ऐसा तो रोज होता है। मैं आप को ऐसे समय बुलाऊंगा, जब कोरम का सवाल न उठाया जाये । मैं आप को इस बारे मे इत्तिला दे दूंगा ।

**श्री शशि भूषण** जब 007 जेम्ज बाड, श्री किसिंगर, राबर्टरिड से पीकिंग गये थे, तो उस वक्त देश का वातावरण इस तरह का बनाया जा रहा था कि लोगों को यह बताया जा रहा था कि हमारे देश के साथ कोई भी नही है, देश अकेला है, एक भय का वातावरण बनाया जा रहा था, लाखो शरणार्थी देश मे आ रहे थे, एक सत्याग्रह का नाटक शुरू हुआ था । लेकिन भारत और रूस की शान्ति और मैत्री की सधि का ऐलान होने के बाद वह वातावरण दूर हुआ और जो तैयारी बराबर की जा रही थी मुक्ति वाहिनी गुरिल्ला सैनिक तैयार करने के लिए और बंगलादेश के लोगो की मदद करने तथा स्वधीनता के लिए, उस में कामयाबी मिली । प्रधान मंत्री ने शुरू से आखिर तक जो भी कदम उठाये, वे समय के मुताबिक उठाये । उस का फल यह हुआ कि भारत की नीति सही साबित हुई और दुनिया के जो जो देश बंगला-देश की मान्यता देते जा रहे हैं, वे हमारी नीति का समर्थन कर रहे हैं । जैसा मैं ने कहा कि मैं आज तारीफ ही करूंगा अपने विरोधियों की, बुराई नहीं करूंगा मैं यह कहना चाहता हू कि जनसघ ने बहुत सा हमारा काम खुद ही पूरा कर दिया । जिस का हाथ पकडा उस का बेड़ा गर्क हो गया । राजाओ का साथ दिया जनसंघ ने, राजा साफ हो गए । बैंक के मालिको का साथ दिया, बैंक के मलिक साफ, अकालियों का पजाब मे साथ दिया वह साफ, कागो का साथ दिया, वह साफ, सयुक्त समाजवादी पार्टी का साथ दिया, वह साफ, स्वतन्त्र पार्टी का साथ दिया, वह साफ, जिस का हाथ पकडा उसी का बेडा गर्क हो गया ।

**श्री हुकम चन्द कछवाय** अब नम्बर आप का है ।

**श्री शशिभूषण** जिस का साथ दिया, वाह साफ । विदेशीनीति मे ज्याग काई शेक की साथ दिया, उस का बेडा गर्क, अमेरिकी नीति का साथ दिया, उस का भारत मे बेड़ा गर्क । कुछ ऐसी भ मासुर यह जनसघ पार्टी बन गई कि जिस का साथ देते है वही साफ हो जाता है । वह हमारा ही काम कर रहे है । दिल्ली मे अब की बार मुस्लिम लीग का साथ दिया अब मुस्लिम लीग के भी अन्तिम दिन आ गए । मुझे पूरा विश्वास है कि वह अब ज्यादा देर वह नहीं टिकेगी । यहा दिल्ली के चुनाव में मुस्लिम लीग को जनसंघ ने पूरी मदद की क्यों कि पाकिस्तानि की दूकान तो अब बन्द हो रही है, उस मे भी 9 आने बगला देश मे सेकुलरिज्म आ गया । एक रुपये में नौ आने बगला देश में सोशलिस्ट सरकार बन रही है । वह दूकान तो बन्द हो गई । जब मुट्टी की दूकान बन्द हो जायगी तो हिन्दुस्तानी मुट्टी की दूकान कैसे चलेगी । उस के लिए दिल्ली में लाखों रुपया

खर्च कर के जनसंघ द्वारा मुस्लिम लीग को बुलाया गया। उन को जिताया गया। वह एक दूकान शुरू हो गई, दूसरी साथ लग गई। लेकिन देश की जनता अब ज्यादा दिन गुमराह नहीं होगी। अभी पिछले दिनों बिहार मुस्लिम बचाओ सम्मेलन बुलाया गया पटना में और उस में वही चार प्रतिक्रियावादी पार्टिया शामिल हुई जिस का कि मैं ने जिक्र किया सोपा-संयुक्त स्वतन्त्रा कांगों। मैं पूछना चाहता हूं कि बिहार के मुसलमान हिन्दुस्तान से गए किस के छुरे के डर से गये थे ¿ किस ने भेजा मंगाया इनको ? भेजने वाले वह और प्रान बचाने वाले यह। आज चूंकि श्री निक्सन नही चाहते कि उन बिहारियों का ट्रायल हो, श्री भुट्टो तथा श्री चाओ नही चाहते तो हिन्दुस्तान मे उन के साथी कैसे चाह सकते थे ? आज जिनों ने 30 लाख नित्थे लोगों की नरहत्याएं की हैं, जिन लोगो ने करोड़ व्यक्तियो को शरणार्थी बना दिया, आज उन का ट्रायल हो, उस ट्रायल के खिलाफ अमेरिका की बात तो समझ मे आती है, वह इसलिए विरोध करते है कि सी० आई० ए० ने खुदा वहां के बगाली इंटेलेक्चुअल्स की लिस्ट देकर उन का पाक बिहारियो से कत्ल कराया लेकिन हिन्दुस्तान मे आज उस के समर्थन में बिहार मे मुस्लिम बचाओ सम्मेलन प्रतिक्रियावादियो ने किया। वह सारे बिहारी नही हैं, जो बंगला नही बोलते है उन को वह बिहारी कहते हैं। लेकिन जिन लोगों ने कत्ले आम किया क्या उन के ऊपर केस नहीं चलना चाहिए ? तो यह यह बिहार मुस्लिम बचाओ सम्मेलन उस चुनाव के जमाने में क्यों किया गया ? क्यों लोगों की आंखों में धूल झोंका गया ?

अब कहते हैं कि हम प्रजातंत्र में विश्वास करते हैं। काश्मीर में भारत सरकार हमेशा से सतर्कता बरतती आई है, काश्मीर के चुनाव में इस बात का ख्याल किया गया कि सारी दुनिया की आंखें वहां लगी हुम इस बात की कोशिश करते हैं कि कोई ऐसी बात यहां न हो कि जिस से दुनिया में हमारे देश का नाम खराब हो। लेकिन आज श्री चाऊ कहता है कि कश्मीर का एलेक्शन सच्चा नहीं हुआ, श्री भुट्टो कहते हैं कि सच्चा नहीं हुआ, श्री निक्सन कहते है कि अच्छा नहीं हुआ और अटल बिहारी जी कहते हैं कि वहा के प्रजातंत्रीय चुनाव पर सन्देह है...

श्री आर वी बड़े: (सरगोन:) किस ने कहा ? यह कभी नही कहा उन्होंने।

श्री शशिभूषण: अटल बिहारी जी ने कहा है। कल अपने भाषण मे उन्होने कहा कि देश मे जो चुनाव हुए हैं वह भी मुनासिब नहीं तथा सरकारी चुनाव हुए हैं। यही बात जो विदेशों मे हमारे दुश्मन है वह कहते हैं। आखिर, पिछले चुनावों में उस वक्त जब भुट्टो का नामोनिशांक नहीं था...

अध्यक्ष महोदय कुछ भी हो, दूसरे मुल्क के जो प्रेसीडेंट है उन को न ही लाएं दरमियान मे तो अच्छा है, हमारे रूल्स एलाऊ नहीं करते इस तरह से उन का जिक्र करने को।

एक माननीय सदस्य: यह सरकारी प्रतिनिधि नहीं हैं।

MR. SPEAKER : There should be no reflection on the head of a State.

श्री शशिभूषण: मैं तो जो यहां के सरकारी नेता बोलते हैं, रोज हमारे खिलाफ कहते हैं, वही कह रहा हूं। पिछले चुनाव में हम लोग जीत कर आए। कहा कि कुर्सी स्थाई बेसट पेपर में लगायी। जब यह कहा गया तो चीन के अखबारों में लिखा गया, पाकिस्तान के अखबारों में लिखा गया, अमेरिका के अखबारों में लिखा गया। आखिर हिन्दुस्तान के प्रजातंत्र की इस से बदनामी नहीं होती ?

श्री शशिभूषण]

55 करोड़ जनता का अपमान नहीं होता। जिस प्रजातंत्र के लिए 30 लाख लोग कुर्बान हुए बंगला देश में और आज हमारे देश में जो दुनिया का सब से बड़ा सब से मजबूत प्रजातंत्र है, जिस पर हमें फख्र है, उस के नाम लांछन लगाए उन की जनसंघ पार्टी के नेता ? और मैं उनको झूठा नहीं कहता, हिन्दुस्तान का हाई-कोर्ट झूठा कहता है, हिन्दुस्तान का सुप्रीम कोर्ट झूठा कहता है। अगर उन्हें प्रजातंत्र पर विश्वास होता तो श्री मधोक इस ढंग की बातें कर सकते थे ? जो दुनियां में हमारे विरोधी कहते हैं जहां दूर दूरबीन से भी प्रजातंत्र नहीं दिखाई देता है उन देशों के अखबार इस बात के लिए कहते हैं कि हमारा चुनाव धोखा है।

अध्यक्ष महोदय, राष्ट्रपति जी का जो भाषण हुआ, उन्हों ने देश के सामने हमारा जो विदेशों में और विश्व में मान और गौरव बढ़ा है उस संबंध में चर्चा की, उन्होंने जो देश में आर्थिक तरक्की हुई उसकी चर्चा की। उन्होंने जो अपने क्षेत्रों में राष्ट्रीकरण हम ने किया है उस का चर्चा की और बड़ा अच्छा होता कि वह चर्चा करते कि विदेशी बैंकों का भी राष्ट्रीयकरण किया जाय क्यों कि उस से मैं नहीं समझता कि हमारे देश का कोई पैसा बाहर जायगा। आज भी बहुत ज्यादा विदेशों से जो हमारा व्यापार है वह हमारे देश के राष्ट्रीय बैंक करते हैं और हम उस में पूरे पूरे समर्थ हैं। आइन्दा आने वाले वक्त में जैसे हम शहरी और गांवों की सम्पत्ति पर नियंत्रण करने की योजना बना रहे हैं उसी तरह देश में शिक्षा का राष्ट्रीकरण होना चाहिए और वह आज के युग की सब से बड़ी मांग है। समाजवाद की तरफ बढ़ते हुए कदम तब तक लड़खड़ाते रहेंगे जब तक शिक्षा के संस्थान उन लोगों के हाथ में रहेंगे जो सम्प्रदायवादी हैं और जो धर्म के नाम पर आज एक दूसरे के दिलों को बांटते हैं। तो मैं चाहता हूं कि इस दिशा में सक्रिय कदम उठाया जाय। राष्ट्रपति जी इस की चर्चा करते तो अच्छा था लेकिन अब मुझे पूरी उम्मीद है कि अगले साल तक इस में से बहुत अंश तक हम अपनी आस्था-विश्वास पूरा कर सकेंगे और राष्ट्रपति जी इस की पुनः चर्चा करेंगे।

राष्ट्रपति जी के संबंध में मैं ने कहा कि हमें फख्र है कि हमारे देश में एक ऐसा राष्ट्रपति है जो प्रजातंत्र और लोकतंत्र पर विश्वास करता है, जो सही माने में समाजवादी नेता है और देश के लिए उन का चुना जाना भी बड़े गौरव की बात है। अगर कहीं वह न चुने गए होते और जो यहां राष्ट्रीय संविद सरकार बनाने की योजना चल रही थी, और जो उन के मुकाबिले में खड़े थे वह अगर जीत गए होते तो यह सही बात है कि इस देश से बंगला देश के लोग तो मदद नहीं मांग सकते थे। अगर यहां भी अमेरीकी पप्पेट सरकार होती, साम्राज्यवादी के समर्थक लोग होते, सम्प्रदायवादी राष्ट्रीय सरकार में होते तो बंगला देश आजाद न होता और आज बंगला देश के आजाद होने के बाद जो देश की गरिमा और शान बढ़ी वह न बढ़ी होती ...

श्री हुकम चन्द कछवाय: आप की प्रधान मंत्री ने ही उन को खड़ा किया था।

श्री शशिभूषण: उन को आप की पार्टी की साजिश का पता नहीं था। जब उन को साजिश का पता लग गया कि आप लोग उस साजिश में शामिल हैं तो उस के बाद उन्होंने समर्थन नहीं किया।

मैं यह कह रहा था कि दुनिया के जो छोटे राष्ट्र साम्राज्यवाद के खिलाफ लड़ रहे हैं चाहे वह अंगोला हो, चाहे गिनी बिसोवा हो, चाहे उत्तरी वियतनाम हो, वह आज भारत की तरफ देख रहे हैं और भारत ने जिस प्रकार बंगला देश की मदद की है उसी प्रकार ईमानदारी से और भी राष्ट्र चाहे वह विदेश हों,

पख्तून हो या अन्य हों, वह अपनी आजादी के लिए हम से मदद मांगेगें हम ईमानदारी से कहते हैं कि हम किसी देश की एक इंच जमीन भी नहीं लेंगे और उनकी हम मदद करेंगे क्यों कि वह हमारे भाई पड़ोसी हैं। हम किसी की एक इंच भी जमीन नही लेना चाहते। हम ने कभी किसी देश पर हमला नहीं किया। यहां सुबह से शाम तक जनसंघ पोस्टर लगाए जाते है कि कि एक इंच पीछे नहीं हटेंगे। काश्मीर हमारा अपना है, दूसरे कच्छ इत्यादि हिस्से हमारे अपने है। हम ने किसी पर हमला नही किया हम किसी का बुरा नहीं चाहते, फिर भी यहां यह कहा जाता है। अब मैं फिर विदेशी नेताओं के नाम लूंगा श्री निक्सन साहब की सरकार यह कहती है कि हम ने पाकिस्तान पर हमला किया, श्री चाऊ की सरकार यही कहती है, श्री भुट्टो कहते हैं तो हमारे यहां भी ये जनसंघी भाई कहते है कि हमने हमला किया है, जो लिया है वह देंगे नही।

अध्यक्ष महोदय, आज के युग मे इस प्रकार की बातों का कोई मतलब नही है, इसके अलावा जो एक लाख पाकिस्तानी कैदी है. . .

**श्री हुकम चन्द कछवाय** : हजारों जवानों ने जानें दी हैं, हम उसको वापस नहीं होने देंगे।

**अध्यक्ष महोदय** : यह अच्छा नही मालूम देता, आप क्यों बार-बार इन्टरप्ट करते हैं ?

**श्री हुकम चन्द कछवाय** : जिस भूमि के लिए हजारों जवानों ने जानें दी हैं, क्या वह वापस करेंगे ? हम उसको वापस नहीं होने देंगे।

**अध्यक्ष महोदय** : आप तो जैसे घर में बैठकर बातें करते हैं।

**श्री हुकम चन्द कछवाय** : यह पार्लियामेंट है, देश की सबसे बड़ी पंचायत है।

**अध्यक्ष महोदय** : आज माथे पर लाल-तिलक लगा हुआ है।

**श्री शशि भूषण** : हमारे देश में जो पाकिस्तान के कैदी हैं, उनके साथ हम सब से अच्छा व्यवहार करते हैं। लेकिन एक तरफ श्री भुट्टो कहते है कि हम उन्हें हिन्दू बना रहे हैं और यहां जो विपक्षी लोग बैठे है, वे कहते हैं कि युद्धबन्दियों के साथ अच्छा व्यवहार क्यों हो रहा हैं। दोनों में कोई फर्क नही है, जो बात भुट्टो बोलते हैं, उसी ढंग से इधर से बोलते हैं। हम ईमानदारी से चाहते है कि हमारे पडोसी सुख व शांति से रहे, लेकिन हम यह भी चाहते है कि जब तक हमे इस बात का आश्वासन न हो जाय कि पाकिस्तान की धरती से अब दूसरी गोली नहीं चलेगी, तब तक कोई निर्णय नही लेना चाहिए और इस दिशा में हमको सही कदम उठाना चाहिए। मुझे पूरा विश्वास है कि हमारी सरकार, जैसा यहां कहा गया है कि दबाव मानती है, वह किसी का दबाव नहीं मानती है, निर्भीक और लोकतन्त्री सरकार है, और किसी दबाव के बगैर निर्णय लेगी हमें उस पर विश्वास है। हम इन्दिरा जी के नेतृत्व में विश्वास करते है और उन्हें पूर्ण समर्थन देते हैं।

इन शब्दो के साथ राष्ट्रपति जी के अभिभाषण का अनुमोदन करते हुए अपना भाषण समाप्त करता हूं।

SHRI SAMAR GUHA (Contai) : I had the privilege to visit Bangla Desh, and I had also the privilege to present a portrait of Netaji to Banga Bandhu and to the President of Bangla Desh, as also to button the emblem of Netaji on the collar of Bandhu and also of President of Bangla Desh. (*Interruption*) I do not know why the Delhi paper did not report it. (*Interruption*).

It is a matter of great pride for the whole of India that Banga Bandhu proclaimed before the Pressmen not only of Bangla

[Shri Samar Guha]

Desh but of India and other countries that he considers Netaji Subash Chandra Bose as his political guru. There were a number of celebrations—TV. and others held on Netaji's birthday at Dacca. Big celebrations were held in Bangla Desh. I want to draw your attention to these celebrations for the historical reason. As a humble follower of Netaji, I could never accept the concept of division of India— not in political sense but in historical, philosophical and ethical senses; it was my feeling that it crippled freedom and growth of our national renaissance—looking at the way the whole of the Indian people were submerged in communal bitternees and politics, The day will come when the dream and the ideals of Netaji will be fulfilled and a new India will emerge Bangla Desh is signal for that; that p ocess has started in Bangla Desh. The revolution in Bangla Desh will reverberate at the heart of Pakistan and in the whole of India. And I have no doubt that new days, the days of the ideals of Netaji are coming for us, for the whole of the people of the Indian sub-continent. In this background I have never looked upon the war between India and Pakistan as a war between two countries but; for historical, philosophical and also emotional perspective, it was to me. more or less, like a civil war among the people belonging to the same fraternity. So, in this perspective, I want to draw your attention to a report that has been published in the Pakistani Press that the prisoners of war of Pakistan are being ill-treated in India. I know it is wrong. I know very well they are given very good treatment, and about the unfortunate incident of firing on the prisoners of war of Pakistan tried to draw the attention of the Defence Minister that this matter should be clarified not only in India but for the whole world public opinin. We want that the prisoners of war should be treated as our brothers so that when they go back, they may go back as messengers of good human relations, they may go back as messengers of peace and amity, they may go back as messengers of secular amity and they may go back as messengers for the democratic, I sould say, resurgence not only in India but in Pakistan also.

As I started, I should say, Bangla Desh.

MR. SPEAKER : The hon Member's time is up.

SHRI SAMAR GUHA : At least ten minutes should be given.

MR. SPEAKER : You wanted only five minutes. Only two minutes more.

You have lured me by telling five minutes. Now yeu want ten minutes.

SHRI SAMAR GUHA : From this time, I wanted to draw your attention to the fact that in this august House in my first speech I had the privilege to draw the attention of the Government that something should be done to discharge our national obligation to one of the greatest national heroes of our times, Netaji Subhas Chandra Bose. I am thankful to the Government that something has been done. There was a time when even the name of Netaji was taboo on the All India Radio. That is not so now. But much more remains to be done. Through a question, I wanted to know how much the Government have spent to as knowledge the contribution of Mahatma Gandhi and Pandit Jawaharlal Nehru to history. They had their own contribution to the national freedom and national renaissance in their own field and in their own way. I am very glad that the Government has incurred quite a lot of expenditure to acknowledge that contribution of Gandhiji and Pandit Nehru. They spent Rs. 3.50 crores for the purpose of acknowledging the contribution of Gandhiji and Rs. 3.35 crores for Pandit Nehru, But, it is a matter of shame and disgrace also, that less than Rs. 2 lakhs only have so far been spent for Netaji Subhas Bose.

I want to draw your attention to another point. Recently, the Government has taken an admirable step. There is a scheme for giving pensions to the freedom fighters but the pension scheme to the freedom fighters that has been enunciated by the Government has been circumvented for, only those who fought on the mainland and those who underwent imprisoment for at least six months are eligible. But, as you know, the valiant INA men who fought out side India for India, for the liberation India—more than 10,000 and some say 26,000 valiant freedom fighters have sacrificed their lives. A few months back General Auchinleck has made a disclosure that during the INA trial, when the Red Fort

trial was going on, the secretly informed Attlee that if power was not transferred to the Indians within a short time, there would be a repetition of the Sepoy rebellion of 1885. That was the reason why the Cabinet Mission headed by Pethick Lawrence came to India. Don't we owe an obligation to these freedom fighters of INA ? Will they not be covered by the pension scheme ?

MR SPEAKER : The hon. Member's time is up.

SHRI SAMAR GUHA : I beg of you, Sir, to give me a few minutes more. I have something more to say.

MR SPEAKER : I cannot allow any more time.

SHRI SAMAR GUHA : Only five minutes more, Sir I beg of you I have something to say about Netaji Inquiry Commission-a very important point I am not raising any controversy

MR. SPEAKER : You came to me saying that you will speak only for 3 or 4 minutes. Your Party has completely exhausted its time. You wanted only two to three minutes Now you are not stopping with ten minutes even.

**13 hrs.**

SHRI SAMAR GUHA : I obey you, Sir.

I want to draw the attention of the Government to the obligation to see that the INA prisoners should also be included in the catogory of the freedom-fighters so that they may be entitled to have the benefit of the pension etc. to which other freedom fighters are entitled.

Regarding the Netaji Inquiry Commission, I am sorry to note that Mr. Khosla is not being allowed to visit Formosa, the place of occurrence of the supposed plane crash. I do not know what stands in the way. I don't know why the Government is not allowing Mr. Justice Khosla to go there. A number of railway engineers and Central Government officials etc. are visiting Formosa and we have our trade and commerce relation with Formosa worth several crores of rupees. Still, I do not know why Mr. Justice Khosla is not allowed to go there. I say this because the supposed occurrence of the plane crash is in Formosa and without going there, the Khosla Inquiry Commission cannot complete its work. I don't know why the Government is standing in the way, And also it was proposed and the Prime Minister herself agreed that there should be action counsel to assist the Khosla Commission, but now, the Commission has completed almost half of the work and no counsel has yet been appointed.

And, lastly, Sir, I wish to say that. Many other documents that are connected with Netaji, the various intelligence reports, the American Intelligence Report, the British Intelligence report and the Russian Intelligence report, should be made available to the Commission, for scrutiny and investigation. It has been accepted by all, even by the spokesmen of the Japanese Government, that Netaji had undertaken certain negotiations with Russia because his intention was to go to Russia after the fall of Japan. That is the reason why these Intelligence reports should be made available to the Netaji Enquiry Commission.

Sir, Government has accepted the view that a fresh inquiry should be made about Netaji. If the Government has accepted that obligation, it should be discharged fully, honestly, completely and entirely, so that the Netaji mystery can be resolved for good.

MR. SPEAKER : Shri Chandrajit Yadav He may just rise; he will continue after lunch.

SHRI CHANDRAJIT YADAV (Azamgarh) : *rose—*

MR. SPEAKER : The House stands adjourned to meet at 2 P.M.

**13.03 hrs.**

*The Lok Sabha Adjourned for Lunch till Fourteen of the Clock*

*The Lok Sabha re-assembled after Lunch at three minutes past Fourteen of the Clock*

[MR. DEPUTY-SPEAKER *in the Chair*]

RE : STRIKE BY SOME RAILWAYMEN

MR DEPUTY SPEAKER Now, Shri Chandrajit Yadav

श्री भोगेन्द्र झा (जयनगर) . उपाध्यक्ष महोदय, एक मिनट दीजिए। 14 महीने पहले उत्तर रेलवे मे 10 हजार मजदूरो की हडताल हुई और श्रम मत्री ने लिखित आश्वासन दिया था कि हडताल वापस ले लो तो विक्टेमाइजशन नही होगी और उनकी मागो पर सहानुभूतिपूर्वक विचार किया जाएगा। फैसला हो गया लेकिन उनकी मांगें पूरी नही की गई है और 4500 रेलवे कर्मचारी विक्टेमाइज्ड ह और 55 सस्पेंडेड हैं और बाकी का ब्रेक इन सर्विस हो गया है।

MR. DEPUTY-SPEAKER So, what does the hon. Member want now ?

श्री भोगेन्द्र झा . मेरा आग्रह यह है कि आप रेलवे मत्री से कहें, श्रम मत्री से कहें कि लिखित आश्वासन का खुला उल्लघन क्यो हो रहा है। अभी वहा पर हजारो मजदूर भूख-हड़ताल पर बैठे हुए हैं। इसलिए हमारा आग्रह है कि आप आदेश दें कि श्रम मत्री और रेलवे मत्री इस बात पर अपना ध्यान दें और कम से कम जो लिखित आश्वासन है, उसका पालन हो।

MR. DEPUTY-SPEAKER · Order

श्री रामावतार शास्त्री (पटना) · वहां पर रिले भूख हडताल चल रही है और रेल-कर्मचारी वहा पर आज से इनडेफनीट हंगर स्ट्राइक पर है। (व्यवधान)

**14.05 hrs.**

MOTION OF THANKS ON THE PRESIDENT'S ADDRESS—*CONTD.*

श्री चन्द्रजीत यादव (आजमगढ़) : माननीय उपाध्यक्ष जी, सन् 1967 के बाद पिछले चार-पाच वर्ष बाद हमारे देश की राजनीति में बहुत ही महत्वपूर्ण परिवर्तन और उथल-पुथल के वर्ष रहे है, विशेषकर पिछला एक वर्ष देश के राष्ट्रीय जीवन मे एतिहासिक महत्वपूर्ण घटनाओ का वर्ष रहा है। देश की जनता ने प्रधानमत्री इन्दिरा गाधी के नेतृत्व में जिस साहस, धैर्य, एकता और दूरदर्शिता से अपने जीवन की और राष्ट्रीय समस्याओ का सामना किया है, वह हमारे देश की एक अभूतपूर्व घटना है। पिछले दो वर्ष मे विशेष रूप से जो घटनाए हुई है, उनसे देश की जनता का मनोबल, देश की जनता का आत्मविश्वास, देश की जनता का साहस और उसकी एकता उभरकर बहुत ही आगे आई। सच कहिए तो एक नया भारत जन्म ले रहा है, जिसमे जनता अपने जीवन के अधिकारो के लिए, अपने कर्त्तव्य के लिए और अपने राष्ट्रीय हितो के लिए कृत-सकल्प दिखाई पडती है। यह एक ऐसा समय है कि अगर हम इस उत्साह को, इस एकता को, जनता के इस मनोबल को और उसके आत्म-विश्वास का ठीक से उपयोग करें, अपने राष्ट्र के निर्माण के लिए, पुनर्निर्माण के लिए, राष्ट्रीय जीवन की उन विषमताओ को दूर करने के लिए जिनसे हमारा समाज पीड़ित रहा है, तो मुझे इस बात मे तनिक भी सदेह नही है कि हमारे देश का भविष्य उज्ज्वल होगा और हमारे देश की जनता अपने उस सपने को साकार कर सकती है जिसके लिए वर्षों से हम अपने राष्ट्रीय जीवन में संघर्ष करते रहे हैं, गरीबी मिटाने का सघर्ष, देश की जनता की आर्थिक और सामाजिक विषमताओं को दूर करने का संघर्ष, देश और समाज से शोषण को समाप्त करने का संघर्ष, देश को मजबूत और गौरवशाली बनाने का संघर्ष। मुझे पूर्ण विश्वास है कि आज हमारे देश की जनता ने जिस राजनीतिक बुद्धि और बुद्धि की परिपक्वता का परिचय दिया है और जिस सूझबूझ और समझ-

दारी का परिचय दिया है और हमारे देश की जनता ने इस संकट के समय में जो काम किया है, वह हमारी सबसे बड़ी राष्ट्रीय साथी है। आज हम इसके लिए कृत-संकल्प हैं कि हम अपने देश की जनता के इस उत्साह को, इस एकता को, उसके मनोबल को, उसके संकल्प को देश के पुनर्निर्माण में उपयोग करें।

मुझे अफ़सोस होता है कि हमारे देश के कुछ विरोधी दल और हाल के चुनावों में धराशायी होने के बाद, हारने के बाद, देश के इस उत्साहजनक वातावरण की, देश की एकता की तोड़ मरोड़ कर तस्वीर जनता के सामने पेश करने की कोशिश कर रहे हैं। श्रीमन्, राजनीति जीवन में, प्रजातान्त्रिक पद्धतियों में विचारों में मतभेद हो सकते हैं। विभिन्न राजनीतिक दलों को अपनी नीति और कार्यक्रम पर काम करने का पूरा अधिकार है लेकिन राष्ट्रीय हितों का ध्यान सब को रखना चाहिए। प्रजातन्त्र में इस बात का ध्यान रखना चाहिए कि जनता का मनोबल टूटने न पाय, राष्ट्रीय निर्माण में इस बात का ध्यान रखना चाहिए कि जनता ने जिस सम्पति को अपने राष्ट्रीय एकता से अर्जित किया है जिस उत्साह को अर्जित किया है, हम उस को धुंधला न होने दें। आज इस बात से कोई इन्कार नहीं कर सकता है कि भारतीय जनता, भारयीय नेतृत्व और भारतीय सरकार गौरव और गरिमा, उस की प्रतिष्ठा आज दुनिया में बढ़ी है। आज इस बात से कोई इंकार नहीं कर सकता है कि भारतीय सरकार ने, भारत की जनता ने श्रीमती इन्दिरा गांधी के नेतृत्व में जिन आदर्शों और सिद्धान्तों के लिए बड़े संतोष के साथ, बड़े साहस के साथ, बड़े धैर्य के साथ जब बड़ी बड़ी शक्तियां उसे कसने की कोशिश कर रही थी, जिस दूरदर्शिता के साथ, जिस बुद्धिमत्ता के साथ इन समस्याओं का निराकरण किया है, उस से हमारे देश का गौरव और सम्मान बढ़ा है। यह देश के हित में होना और यह राष्ट्र के हित में होगा कि हम इस वातावरण को पुष्ट करें। जीवन में विचारों में मतभेद होते रहेंगे। राजनीतिक संघर्ष भी चलते रहते हैं और हम चाहते हैं कि वे चलते रहें। इसलिए हम चाहते हैं कि इस देश में प्रजातन्त्र अक्षुण्ण बना रहे। आज यह कहा जाता है कि इन चुनावों से प्रजातन्त्र कमजोर हो गया है, एक पार्टी और उस के नेता की तानाशाही इस मुल्क में कायम हो गई है। यह कहा जा रहा है कि विरोधी दलों को समाप्त किया जा रहा है और एक कुचक्र रचा जा रहा है। श्रीमान्, यह बात वास्तविकता के बिल्कुल प्रतिकूल है यह मैं समझ सकता हूं कि विरोधी दलों के हारने के बाद एक अजीब सी मन स्थिति में वे आ गये हैं और उन का मनोबल टूटा हुआ है लेकिन यह उन के हित में नही है कि वे वास्तविकता पर पर्दा डालने की कोशिश करें। विडम्बना आज हम यह देखते हैं कि एक तरफ साम्प्रदायिक विचारधारा का नेतृत्व करने वाली पार्टी जनसंघ है और दूसरी तरफ उग्रवादी वामपंथी दल अपने को कहने वाला सी० पी० एम० है और दोनों ही इन प्रश्नों पर एक तरह से देख रहे हैं, एक से विचार व्यक्त कर रहे हैं। यह एक अजीब सी विडम्बना है। इन्होंने हमारे ऊपर आरोप लगाया है कि प्रजातंत्र समाप्त हो रहा है। मैं इन से प्रार्थना करता हूं कि ये इतिहास पर सच्चाई के साथ और ईमानदारी के साथ दृष्टि डालें। भारतीय जनता का अपना इतिहास है, हमारी अपनी परम्परायें हैं। महात्मा गांधी के नेतृत्व में राष्ट्रीय कांग्रेस के नेतृत्व में देश की जनता ने अपनी आजादी के लिए संघर्ष किया। हमने कुछ एक मुट्ठी भर लोगों पर विश्वास नहीं किया। हम उन पर निर्भर नहीं रहे। हमने किसी शक्ति और हथियारों पर विश्वास नहीं किया। महात्मा गांधी ने कहा था कि दुनिया की सब से मजबूत साम्राज्यवादी सत्ता को अगर उखाड़ कर फेंकना है तो भारत की करोड़ों जनता जब तक आजादी के संघर्ष में नहीं उतरेगी, उसकी हिस्सेदार और भागीदार नहीं

[श्री चन्द्रजीत यादव]

बनेगी, हम अपने लक्ष्य को प्राप्त नहीं कर सकेंगे। उन्होंने उस संघर्ष को भी कुछ सिद्धान्तों और आदर्शों पर चलाया। उन सिद्धान्तों पर चल कर ही हमने आजादी हासिल की। भारत की करोड़ों जनता उस आजादी के संघर्ष के अन्दर हिस्सेदार और भागीदार बनी। आज भी देश की करोड़ों जनता देश के पुनर्निर्माण के काम में, राष्ट्रीय निर्माण के कामों में लगी हुई है। हम चाहते भी यही हैं कि देश के किसान, मजदूर मेहनत करने वाले, नौजवान, विद्यार्थी, बुद्धिजीवी, मध्यम वर्ग के लोग राष्ट्रीय पुनर्निर्माण के कामों में भागीदार और हिस्सेदार बनें। हमें इस बात पर गर्व है कि महात्मा गांधी के नेतृत्व में हमने आजादी के लिए संघर्ष किया और आजादी हासिल करने के काम में देश की जनता भागीदार बनी और आज भी श्रीमती इंदिरा गांधी के नेतृत्व में देश की जनता पुनर्निर्माण और समाज की रचना में भागीदार और हिस्सेदार बनाई गई है। आज देश की करोड़ों जनता के सामने समस्याओं को हमने खोल कर रख दिया है। जब हमें इन शक्तियों की तरफ से चुनौती दी हमारे आदर्शों के लिए, सिद्धान्तों के लिए, गई, जीवन और समाजके मूल्यों के लिए, चुनौती दी गई तो हमने यह उचित नहीं समझा कि हम उससे आंख बंद करके अपने रास्ते को बदल दें। हमने उन समस्याओं को जनता के सामने रखा। सभापति महोदय, इस सदन का सभापतित्व आज आप कर रहे हैं और आपको मालूम ही है कि पिछली बार सदन के अन्दर कुछ काम नहीं हो पाए थे। तब श्रीमती इंदिरा गांधी ने समझा कि अगर देश के सामने कुछ चुनौतियां हैं, तो जनता को इस बात का निर्णय करने का मौका दिया जाना चाहिये कि कौन सा रास्ता देश की जनता के हित में है। यही एक बेहतरीन रास्ता हो सकता था जो उन्होंने अख्तियार किया। सुप्रीम कोर्ट के एक के बाद दूसरे निर्णय हुए। श्रीमती गांधी ने प्रजातांत्रिक नेता होने के नाते उन निर्णयों का आदर किया। उनके समाधान में चाहे उससे हमें देर हुई और चाहे हमारे रास्ते में रुकावटें पैदा हुई लेकिन उन्होंने कहा कि देश का सर्वोच्च न्यायालय कोई निर्णय देता है तो हमें उसका आदर करना पड़ेगा। लेकिन उस न्यायालय से भी बड़ा देश में एक और न्यायालय है, प्रजातंत्रीय पद्धति में उससे भी एक बड़ा न्यायालय होता है, जिस को जनता का न्यायालय कहा जाता है। श्रीमती गांधी ने कहा कि अगर देश की जनता के हितों के लिए रास्ते का चयन करना है और देश की जनता के लिए काम करने में हमारे सामने बाधायें पैदा हो रही हैं तो देश की जनता के न्यायालय के समने हमें जाना पड़ेगा। वह देश की जनता के सामने गई। क्या यह प्रजातंत्र की हत्या है? क्या यह सही है कि ऐसा करके उन्होंने तानशाही का रास्ता अख्तयार किया? क्या यह सच नहीं है कि श्रीमती इंदिरा गांधी ने जो बेहतरीन और सब से अच्छा प्रजातांत्रिक-रास्ता और तरीका हो सकता था, उसको उन्होंने अख्तयार किया? देश की प्रतिक्रियावादी, रूढ़िवादी, साम्प्रदायिक शक्तियों ने कोई कोर कसर उठा न रखी और महागठबन्धन का निर्माण किया उस रास्ते पर हमको चलने से रोकने के लिए। लेकिन हमने अपने विचारों को, अपनी नीतियों को, अपने कार्यक्रमों को जनता के सामने रख दिया। उस पर जनता ने अपना निर्णय दे दिया। मुझे खुशी होती अगर इस सदन के सामने प्रजातंत्र की रक्षा के लिए, प्रजातंत्र के सिद्धान्तों को देश में मजबूत करने के लिए कहा जाता कि प्रजातांत्रिक रास्ते को अपनाया गया और जो जनता ने निर्णय किया है, उसे हम स्वीकार करना चाहते हैं। लेकिन आज उलटा कहा जा रहा है। यह कहा जा रहा है कि प्रजातंत्र के लिए खतरा पैदा हो गया है। श्रीमती इंदिरा गांधी तानाशाह हो रही हैं। ये सब बातें सच्चाई से बिल्कुल विपरीत हैं। इसमें कोई तथ्य नहीं है। चारों-

विकता से दूर हैं। सच्चाई यह है कि केवल हिन्दुस्तान की जनता ही नहीं दुनिया भी इस सच्चाई को मानती है कि दुनिया का सब से बड़ा प्रजातांत्रिक देश जो है हिन्दुस्तान उस में प्रजातंत्र की जड़ें बहुत गहरी हैं। यह नैतिकता का तकाजा था कि इस सच्चाई को स्वीकार करके हम चलते।

आज कहा जाता है कि गरीबी हटाओ का नारा एक गलत नारा है, इसके अन्दर गम्भीरता नहीं है। लेकिन यह नारा केवल एक नारा मात्र नही है। यह हमारी सरकार का और हमारी जनता का संकल्प है एक अभियान है जो हमने चलाया है। हमने सकल्प किया है कि इस देश मे गरीबी हटाने के लिए हमारे कदम आगे बढ़ेंगे। मुझे खेद है कि आज चीजो को तोड मरोड कर रखने की कोशिशें की जाती हैं। जो इस तरह की बातें कहते हैं उनको खुद भी मालूम है और वे स्वयं भी जानते हैं कि जो बातें वे कह रहे हैं, उन में सच्चाई नही। लेकिन हारे हुए, पराजित हुए लोग अपने दिल को तसल्ली देने के लिए आज इस प्रकार की बातें कह रहे है और वे खुद भी इस बात को जानते है कि जो बात वे कह रहे है, उस मे सच्चाई नही है।

श्री अटल बिहारी वाजपेयी जी ने कुछ बहुत गम्भीर अरोप लगाए है। वह एक पार्टी के नेता है। अगर वह इस तरह के गम्भीर आरोप न लगाते तो सच जानिये कि मैं बोलता नहीं। लेकिन उनके इन गम्भीर आरोपो का उत्तर देने के लिए मुझे बोलना पड रहा है। तीन चार बुनियादी आरोप उन्होंने लगाए हैं। उन्होंने कहा है कि प्रजातंत्र कमजोर हो रहा है। दूसरी बात उन्होंने यह कही कि श्रीमती गांधी तानाशाह हो रही है और हर गलत या सही रास्ता इस्तेमाल करने के लिए वह तैयार है, नैतिक मान्यताओं के प्रति उनके दिल में कोई कद्र नहीं है। उन्होंने यह भी कहा कि बंगला देश में जो नीति अपनाई गई वह गलत नीति है। आज भी उनका विश्वास है कि हमें पहले कदम उठाना चाहिये था। यह भी उन्होंने कहा कि पाकिस्तान को बरबाद क्यों नहीं किया गया, आज भी पाकिस्तान को इस काबिल क्यों छोड़ दिया गया कि वह हमारे लिए संकट बन सकता है। उन्होंने यह भी कहा कि रूस के दबाव के कारण या रूस की सहायता के कारण हमने बंगला देश मे विजय प्राप्त की। ये ऐसे अरोप है जो बेबुनियाद तो हैं ही, निराधार तो है ही, भ्रामक भी हैं और देश की जनता को गलत रास्ते पर ले जा भी सकते हैं। जहा तक पहली बात का सम्बन्ध है मैंने बता दिया है कि जो भी काम हम इस देश मे करना चाहते है, हम चाहते यही है कि संसदीय व्यवस्था इस देश में उत्तरोत्तर मजबूत होती जाए, हम चहाते है कि जनता को इन कामों के अन्दर निरंतर भागीदार बनाया जाए, हम चाहते हैं कि देश के अन्दर शासन का विकेन्द्रीयकरण हो। इस आशा और निष्ठा के साथ ही हम अपने कामों को कर रहे हैं। इस प्रकार के आरोप मेरे जैसे व्यक्ति के लिए कोई आश्चर्य की बात नही है। कारण यह है कि मैं एक राजनीति का विद्यार्थी हूं और इस नाते मैं यह भी जानता हू कि देश के प्रतिक्रियावादी विचारधारा के जो नेता है वे समय को नहीं पहचान पाते, गति को नहीं पहचान पाते, समाज में बदलते हुए सामाजिक और आर्थिक रिश्तों को नहीं पहचान पाते, समाज में उत्पन्न होने वाले नए मूल्यों और विचारों को नहीं पहचान पाते और ऐसे जो रूढिवादी और समाजविरोधी नेता होते हैं वे भविष्य के नेता नहीं बल्कि भूत के नेता होते हैं। वाजपेयी जी भी भूत के नेता है, इसमें आश्चर्य की बात नहीं है।

उन्होंने यह भी कहा कि श्रीमती गांधी तानाशाह हो रही हैं। लेकिन उनको मालूम होना चाहिये कि श्रीमतीगांधी ने ऐतिहासिक

[श्री चन्द्रजीत यादव]

कदम उठाए हैं। उन्होंने अपने स्थान को, अपने पद को खतरे में डाल कर कदम उठाये हैं। उनके सामने केवल एक बात रही है। जो आदर्श हैं, जो सिद्धान्त है और जिन की वजह से भारत का सम्मान दुनिया के अन्दर होता है और जिन को राष्ट्रीय लड़ाई के ज़माने में भी हमने अपने सामने रखा और आगे भी देश की रचना के लिए, देश के पुनर्निर्माण के लिए, नए समाज की रचना के लिए, हम बनाए रखना चाहते है, उनकी रक्षा कैसे की जाए। उन आदर्शों को वह छोड़ना नही चहती, उन पर वह दृढ़ रही है। कितने तूफान आए, कितनी ही ताकतें उन से टकराने के लिए आगे बढ़ी लेकिन वह जानती थी कि जिन आदर्शों और सिद्धान्तो की वह रहनुमाई कर रही हैं, वे देश की करोड़ो गरीब जनता के आदर्श और सिद्धान्त हैं, देश की करोड़ों जनता मे उन आदर्शों और सिद्धान्तों के लिए आस्था है, निष्ठा है और जनता कभी भी चाहे जितनी भी कठिनाई का सामना करना पड़े, उनको छोड़ने वाली नही हैं। श्रीमती गांधी ने उन सिद्धान्तों और अदर्शों को नही छोड़ा। चाहे राष्ट्रीय जीवन के अन्दर उनको राजनीतिक संकटो का मुकाबला करना पड़ा, चाहे अपनी सस्था या अपने दल अन्दर, मुकाबला करना पड़ा, देश के महागठबन्धन का मुकाबला करना पड, पाकिस्तानी हमले के समय चाहे उसका मुकाबला करना पड़ा, दुनिया के सब से बड़े साम्राज्यवादी देश, अमरीका की धमकियों का मुकाबला करना पड़ा लेकिन श्रीमती गांधी का विश्वास उन आदर्शों और सिद्धान्तों में अक्षुण्ण रहा। वह साहस के साथ, हिम्मत के साथ देश की जनता का नेतृत्व करते हुए आगे बढ़ी और आज भी बढ़ रही हैं।

यह भी कहा गया है कि बंगला देश में कदम बहुत देर से उठाया गया। मुझे अफसोस है कि कुछ ऐसे लोग भी देश में हैं जो इतिहास से सबक सीखने को तैयार नहीं, ऐसा करने से इन्कार करते हैं, जो सच्चाई को देखते नहीं, उसको देखने के लिए आंख नहीं खोलना चाहते आंख बन्द करके खाना चाहते हैं। जो नतीजे सामने हैं उनको देख कर भी अगर श्री वाजपेयी इस तरह की बातें कहते हैं और तब कहते हैं जबकि सारी दुनिया इस बात की प्रशंसा करती है, एक करोड़ शरणार्थी जो भारत में आए उनके आने के बाद भी और तरह तरह के उकसावे और प्रोवोकेशंज जो दिए गए, उनके बावजूद भी और देश के अन्दर सारी पार्टिया श्रीमती गांधी की सरकार के ऊपर टूटी पड़ी थी और मांग कर रही थी कि आप जल्दी कदम उठाये, तो आश्चर्य हुए बगैर नही रहना है। लेकिन वह जानती थी कि उन का कदम तभी उठेगा, जबकि वह देश के राष्ट्रीय हित, हमारी जनता के हित और बगला देश की जनता के हित मे होगा। उन्होने सामयिक कदम उठाया, जिस की उपलब्धि बगला देश के जन्म के रूप मे हुई। इतिहास इस बात का साक्षी है कि कभी इस प्रकार सिद्धान्तो और आदर्शों की बुनियाद पर एक देश का जन्म किसी एक सरकार की मदद से नही हुआ है। श्रीमती इन्दिरा गांधी ने एक ऐतिहासिक कदम उठा कर एक ऐतिहासिक उपलब्धि हासिल की। अगर आज श्री वाजपेयी इस कदम को असामयिक समझते हैं, तो मैं फिर दोहराना चाहता हूं कि वह एक मरती हुई विचार-धारा के, जो इतिहास पीछे पड़ गया है, जिस विचार-धारा का कोई भविष्य नहीं है, उसका प्रतिनिधि होने के नाते ऐसी बात कहते हैं।

वह कहते हे कि सरकार ने युद्ध-विराम क्यों किया। हम कब चाहते थे कि हम पाकिस्तान पर हमला करें? हम ने कभी पाकिस्तान पर हमला नहीं किया है। पाकिस्तान को तोड़ने का हमारा कभी इरादा नही था—आज भी नही है और भविष्य में भी नहीं होगा। पाकिस्तान हमारा पड़ौसी देश है। हम चाहते हैं कि वह हमारे साथ शांति और दोस्ती के साथ रहे और अपनी जनता की समस्याओं को

हल करे, बजाये इस के कि वह बराबर हिन्दुस्तान की तरफ उंगली उठा कर अपनी समस्याओं के बचने के लिए शुतरमुर्ग की तरह रेत में अपनी गर्दन गड़ाये रखे।

लेकिन जब बंगला देश की जनता की इच्छा नहीं मानी गई, जब बंगला देश के बहादुर सेनानियों को शक्ति के बल पर दबाने का प्रयास किया गया. एक ऐतिहासिक अन्दोलन को पराभूत करने की चेष्टा की गई, जब बंगला देश की बहादुर जनता उस के विरुद्ध उठ खड़ी हुई और तीस लाख आदमियों का नर-संहार करने के बाद भी पाकिस्तान के फौजी तानाशाहों की खून की प्यास नहीं बुझी और उन्होंने भारत की धरती की तरफ आंख उठाई, तो समय पर उस का वह जवाब दिया गया, जिस को पाकिस्तान के नेता न आज भूल सकते हैं और न भविष्य में भूल सकेंगे। जैसा कि मैं ने कहा है, श्रीमती इन्दिरा गांधी ने एक सामयिक कदम उठाया। जब बंगला देश का जन्म हो गया, बंगला देश की बहादुर जनता को आजादी मिल गई, प्रजातंत्र का हक मिल गया, तो भारत को यह कहने में एक क्षण भी नहीं लगा कि हमारी फौजें वापिस आयेंगी, हम पाकिस्तान को नहीं जीतना चाहते हैं। अगर यह बात श्री वाजपेयी की समझ में नहीं आती हैं, तो मैं क्या कह सकता हूं ?

श्री वाजपेयी समझते थे कि भारत सरकार पाकिस्तान को जीतने के लिए हमला कर रही है, क्योंकि उन की पार्टी का यह नारा रहा है कि पाकिस्तान को समाप्त करो। हमारे और उन के विचारों में यह मौलिक मतभेद है। इस लिए वह इस बात को नहीं समझ सकते।

हम पाकिस्तान को कमजोर या समाप्त नहीं करना चाहते हैं। लेकिन पाकिस्तान की जनता का यह दुर्भाग्य है कि पाकिस्तान के जन्म से ही उस को प्रतिक्रियावादी और साम्प्रदायिक नेतृत्व मिला है। जब उस नेतृत्व में परिवर्तन भी हुआ, तो उस को फौजी तानाशाहों का नेतृत्व मिला। पाकिस्तान की जनता को कभी एक लोकप्रिय नेतृत्व नहीं मिला, यही उसका दुर्भाग्य रहा है। बंगला देश की जनता को अपनी इच्छाओं और भावनाओं, आशाओं, अरमानों और आकांक्षाओं के अनुरूप एक लोकप्रिय और प्रजातांत्रिक नेतृत्व मिला और आज बंगला देश और भारत समान विचारों और आदर्शों के आधार पर एक मैत्री की संधि से जुड़े हुए हैं। हमारी शुभकामना है कि पाकिस्तान को भी उसी प्रकार का लोकप्रिय शासन मिले और भारत तथा पाकिस्तान दोस्ती, सहयोग और मैत्री के साथ रह सकें। यह हमारा दृष्टिकोण है और हम जनसंघ के दृष्टिकोण को अस्वीकार करते हैं।

श्री वाजपेयी ने यह भी कहा कि रूस की मदद के बगैर बंगला देश नहीं बन सकता था। इस सदन में—और बाहर भी—हम ने, हमारी पार्टी और नेता ने और देश की जनता ने रूस के प्रति आभार प्रकट किया है। रूस ने जिस मैत्री का प्रतिपादन किया, जिस मैत्री की भावना के साथ वह हमारे साथ खड़ा हुआ, उस के लिए हम हमेशा उस का आभार मानेंगे। हमारी और रूस की मैत्री विचारों और आदर्शों पर आधारित है और हम चाहते हैं कि वह आगे बढ़े। लेकिन यह कहना देश का और देश की जनता का अपमान होगा कि बंगला देश रूस की मदद के बगैर नहीं बन सकता था। जो जनसंघ के नेता बराबर राष्ट्रीय विचारधारा का प्रतिनिधित्व करने का दावा करते हैं, जो अपने आप को राष्ट्रीयता के एकमात्र इजारेदार समझते हैं, अगर उन की समझदारी यही है कि बंगला देश केवल रूस की मदद से बन सका, तो मुझे उन की समझदारी पर तरस आता है। मैं बड़ी नम्रता के साथ कहना चाहता हूं कि हमारे देश की जनता ने, हमारे बहादुर सैनिकों ने, हमारी फौज के अफसरों ने और हमारे

[श्री इन्द्रजीत यादव]

नेतृत्व ने जिस सूझ-बूझ और समझदारी के साथ बंगला देश की जनता का साथ दिया, उस का गौरव और श्रेय हमारे देश की जनता, हमारी फौज और हमारे नेतृत्व को है। यह कहना सच्चाई से इन्कार करना है कि किसी अन्य देश को उस का श्रेय जाता है।

श्री वाजपेयी ने कहा है कि हम ने रूस के दबाव में आ कर युद्ध विराम किया और रूस के दबाव में हम कोई और गलती करने वाले हैं। एक बार नहीं अनेक बार इस सदन में और उस के बाहर हम कह चुके है कि हमारी राष्ट्रीय और अन्तर्राष्ट्रीय नीति की एक ही कसौटी है कि जो काम हमारे देश और हमारी जनता के हित में है, हम उसी को करना चाहते हैं। हम किसी देश के दबाव को एक क्षण के लिए भी स्वीकार करने के लिए तैयार नही हैं। आज अगर दुनिया मे कही हमारा सम्मान होता है, तो इस लिए होता है कि विभिन्न विषयों पर हमारे अपने विचार, अपने आदर्श और अपने निर्णय होते है और मुझे खुशी है कि दुनिया में ऐसी शक्तिया भी है, जो हमारे निर्णय का आदर और सम्मान करती है। रूस के नेताओं ने बराबर कहा है कि हम भारत के साथ बराबरी की मैत्री चाहते हैं, हम भारत पर दबाव नहीं डालना चाहते हैं। भारत के नेताओं ने भी यही कहा है। इस के बावजूद बार-बार इस बात को दोहराया जाता है कि हम रूस के दबाव में कोई काम करना चाहते हैं।

जनसंघ के नेताओं को इस बात की आदत पड़ गई है। जब से हम ने आजादी हासिल की है, वे कहते रहे है कि पाकिस्तान अमरीका के साथ है, जिस से उस को शक्ति और हथियार मिल रहे हैं और वह अमरीका की मदद से आगे बढ़ रहा है। जनसंघ की ओर से बराबर हमारी वैदेशिक नीति पर हमला किया जाता रहा है। वह कहता रहा है कि पाकिस्तान की वैदेशिक नीति हम से अच्छी है, पाकिस्तान अमरीका से भी दोस्ती करता है, चीन से भी दोस्ती करता है और रूस को भी प्रसन्न रखना चाहता है, हम दुनिया में अकेले हैं, हमारा कोई मित्र नहीं है, आदि।

आज सबसे बड़े राष्ट्रीय संकट की घड़ी में यह साबित हो गया है कि पाकिस्तान की वैदेशिक नीति की तुलना में, जिस का गुणगान जनसंघ के नेता करते रहे हैं, हमारी वैदेशिक नीति सही थी। आज भी उन की समझ में यह बात नही आ रही है कि हमारी वैदेशिक नीति एक स्वतंत्र वैदेशिक नीति है, विश्व शान्ति और विश्व सहयोग की वैदेशिक नीति है, दुनिया के दूसरे देशों से भाई चारे और मैत्री की वैदेशिक नीति है, अपने राष्ट्रीय और अन्तर्राष्ट्रीय दोनों हितो को जोड़ कर आगे बढ़ने की वैदेशिक नीति है। हमारी वैदेशिक नीति एक क्षण के लिए भी इस बात की इजाजत नही देती है कि हम दुनिया की कोई बड़ी से बड़ी शक्ति के दबाव को मानें और अपनी मर्यादा तथा प्रतिष्ठा को अपनी आजादी को किसी के पास गिरवी रख दें। हमे चाहे कितने भी संकटों का सामना करना पड़ा, हम इसी नीति पर चलते रहे हैं। आज जो इस प्रकार के आरोप लगा कर जनता को गुमराह करने की कोशिश की जा रही है, वह स्वस्थ प्रजातांत्रिक परम्पराओं के लिए उचित नही है।

जैसा कि मैं ने शुरू में कहा है, देश ने एक नया आत्म-विश्वास, दृढ़ एकता और संकल्प हासिल किया है। यह देश जितना महान् है, इस देश की जनता कितनी महान् है, उतनी ही महान् देश की समस्यायें हैं। आज कौन इस बात से इन्कार कर सकता है कि हमारे लाखों होनहार नौजवान बेकारी के शिकार हैं, हमारे देश के करोड़ों लोग गरीबी की जिन्दगी व्यतीत कर रहे हैं। हम ने देश में बढ़ती हुई महंगाई और अमीरी तथा गरीबी की बढ़ती हुई खाई को दूर करने का संकल्प किया है। लेकिन इन

समस्याओं को हल करने के लिए हमें अपने कदम तेजी से बढ़ाने होंगे, हमें अपने तौर-तरीके बदलने पड़ेंगे। अब पुराने तरीके इस देश में नहीं चल सकते। हम जानते हैं कि हम करोड़ों रुपये अपने देश की जनता के जीवन को बेहतर बनाने के लिए आवंटित करते हैं, लेकिन वह रुपया खर्च नहीं होता है। हमें नौकरशाही का मौजूदा स्वरूप, कार्यालयों के पुराने तौर-तरीके लाल फीताशाही और काम करने की मन्द गति को बदलना पड़ेगा। आज देश की जनता यह चाहती है कि हम उस के जीवन के उत्थान के लिए, उस की प्रगति के लिए, तेजी से कदम बढ़ायें।

मैं जानता हूं कि इस सवाल को बहुत हल्के ढंग से नहीं लिया जा सकता है। इस पर गंभीरता से सोचने की जरूरत है। लेकिन हम ने कोई रास्ता निकालना है। अगर देश की जनता, देश का नेतृत्व और देश की सरकार बंगला देश जैसे अभूतपूर्व राष्ट्रीय संकट का दृढ़ता, संकल्प और इरादे के साथ हल निकाल सकते हैं, तो फिर देश की बेकारी और गरीबी का भी हल निकाला जा सकता है। मैं चाहता हूं कि उसी दृढ़ता के साथ, उसी संकल्प के साथ, उसी इरादे के साथ आज हम आगे बढ़ें, हमारे कदम आगे बढ़ें ताकि हम एक नया हिन्दुस्तान, एक मजबूत हिन्दुस्तान, गरीबी अमीरी के भेदभाव को समाप्त करने वाला हिन्दुस्तान अपने देश के अंदर बना सकें।

श्रीमन्, मैं जानता हूं कि हम ने आत्म-निर्भरता का नारा दिया है। बहुत सही और उपयुक्त नारा है। इस नारे का कोई मजाक बनाने की आवश्यकता नहीं है। हमारी तस्वीर दुनिया में एक भिखारी की तस्वीर थी। जब हम पी० एल० 480 के गेहूं के लिए हाथ फैलाते थे तो हमारे देश के आत्म-सम्मान को धक्का लगता था। लेकिन हम जानते थे कि हमारे लिए कोई रास्ता नहीं था। इस देश के करोड़ों गरीबों के पेट भरने के लिए हम को कुछ करना था। हमारी योजनाएं चल रही थीं. किसानों को पानी देने की, बिजली देने की, खेती में नई क्रान्ति लाने की योजनाएं चल रही थीं, और उसी का नतीजा यह है कि आज इस चुनाव में जाने से पहले भारत सम्मान और गौरव के साथ अपना सिर ऊंचा कर के कह सकता था कि आज से एक मुट्ठी भर चावल के लिए भी हम को किसी के सामने हाथ फैलाने की आवश्यकता नहीं है। आज हमारा देश कृषि के अंदर आत्म-निर्भर है। लेकिन उद्योग के अंदर बहुत कुछ करना है। उद्योग के अन्दर इजारेदारी अपनी जड़ जमाए बैठी है। उद्योग के अंदर हम ने इस बात का संकल्प किया है कि मोनोपली को इस देश से खत्म करना है। लेकिन मोनोपली की हमारे आर्थिक ढांचे पर, हमारे प्रशासन पर और हमारे समाज पर आज भी जो छाप है उस को अगर हम अभी दूर नहीं करेंगे और इस के लिए प्रभावकारी कदम नहीं उठाएंगे तो मुझे इस बात का भय है कि जो संकल्प हमने किया है जो कार्यक्रम बनाया है वह तेजी के साथ पूरा नहीं हो पाएगा। इसलिए मैं चाहता हूं कि इस संबंध में सरकार प्रभावकारी कदम उठाए।

अंत में मैं एक बात और कह कर अपनी बात समाप्त करना चाहता हूं कि हमारे भारतीय जनसंघ के मित्र और हमारे सी. पी. आई. (एम) के दोस्त ये दोनों सच्चाई को देखने की कोशिश करें। यह कहना कि चुनाव निष्पक्ष नहीं हुए, यह कहना कि प्रशासन का इस्तेमाल किया गया, यह कहना कि विरोधी पार्टियों को समाप्त करने की योजना बनाई जा रही है, यह वास्तविकता पर परदा डालना तो है ही, खुद अपने को नहीं देखना है। इस देश की जनता ने हिंसा की राजनीति को हमेशा से इनकार किया है। इस देश की जनता ने साम्प्रदायिकता की कोशिश करने वालों को चाहे वह भाषा के नाम पर, सम्प्रदाय के नाम पर, मजहब के नाम

[श्री चन्द्रजीत यादव]

पर, धर्म के नाम पर या जाति के नाम पर जो साम्प्रदायिकता करने की कोशिश करते हैं उन को भी समाप्त करने की कोशिश की है।... ...(व्यवधान)...

श्री हुकम चन्द कछवाय : साम्प्रदायिकता है क्या, उस की परिभाषा आप ने कभी की ?

श्री चन्द्रजीत यादव श्रीमन्, आज हमें इस बात का गर्व होता है कि अगर सुदूर पूर्व मे कही नागालैंड और मिजोरम मे, मेघालय मे, नेफा मे, अरुणाचल मे, हमारे उस क्षेत्र मे रहने वाले कभी यह महसूस करते थे कि देश का शासन उनकी तरफ पूरा ध्यान नही दे रहा है, उनको गुस्सा था, क्रोध था, असतोष था तो हमने बडे धैर्य के साथ उनके दिल की बात समझने की कोशिश की, हमने उनकी समस्याओ का हल निकालने की कोशिश की और आज क्या हमे इस बात का गर्व नही हो सकता कि देश मे एक ऐसा राष्ट्रीय वातावरण बन रहा है, देश मे एक ऐसी राष्ट्रीय धारा बह रही है जिसके अन्दर हमारे मिजोराम, मेघालय, अरुणाचल और सुदूर पूर्व के लोग, काश्मीर और केरल के लोग और हमारे पश्चिम मे सौराष्ट्र और गुजरात के लोग सब इस बात को महसूस कर रहे हैं कि एक हमारा देश है, एक हमारा राष्ट्र है, हम इस राष्ट्र के अग हैं। आज हम प्रजातात्रिक पद्धति से उनकी समस्याओ को समझने और हमदर्दी से उनको हल करने का कार्य कर रहे हैं। हमने भूत मे गलती की। उसको दूर करके आगे के लिए एक ऐसा हिन्दुस्तान बनाने का काम करें जिसमे हिन्दुस्तान के कोने-कोने मे रहने वाला नागरिक चाहे वह किसी धर्म को मानने वाला हो, किसी भाषा को बोलने वाला हो, यह महसूस कर सके कि यह देश उसका है। इस देश की कुछ राष्ट्रीय थातिया हैं, कुछ राष्ट्रीय मूल्य हैं, आज उसकी रक्षा के लिए हम आगे बढ़ें। इसलिए ऐसे समय मे ऐसा वातावरण बनाने का प्रयास न किया जाय जिससे जनता के मनोबल को तोड़ने की कोशिश की जाय।

मैं भारतीय जनसंघ के नेता से केवल एक ही बात कह सकता हूं। भारतीत संस्कृति, सभ्यता और भारतीय दर्शन की वह बहुत दुहाई देते है और उसका एकाधिकारी अपने को मानते है। भारतीय दर्शन एक चीज और सिखाता है कि ऐसे जमाने मे जरा आत्म-परीक्षा भी करनी चाहिए। मैं चाहूगा कि वह जरा आत्म-परीक्षण भी करे और देखें कि जो गलती की है उसको दूर करे।

इन्ही शब्दो के साथ मैं आपका आभारी हू कि आपने मुझे यह समय दिया। मैं यह आशा करता हू कि आज भारत की जनता, भारत की सरकार भारत का नेतृत्व, श्रीमती इदिरा गाधी के नेतृत्व मे जिस नीति और कार्यक्रम को इस देश मे लागू करने के लिए कृत सकल्प है उसके लिए उपयुक्त वातावरण बनाना है। मुझे आशा है कि यह देश बडे विश्वास के साथ आगे बढेगा, अपनी समस्याओ का हल निकालने मे यह देश कामयाब हो सकेगा और चूंकि इन समस्याओ की ओर हमारे राष्ट्रपति ने ध्यान आकर्षित किया है इसलिए मैं पुन एक बार इस सदन की तरफ से उनका अभिवादन करता हूं और धन्यवाद के प्रस्ताव का समर्थन करता हू।

SHRI DINEN BHATTACHARYYA (Serampore) Mr Deputy-Speaker, Sir, I heard with rapt attention the speech delivered just now by one of the topmost leaders of the Congress Party and I will deal with some facts which he has stated during the latter part of his speech. But prior to that I want to state categorically that the President in his Adress and the speakers of the ruling party here tried in vain to depict a rosy picture of the economic condition of our country.

The facts, if reviewed objectively, bring out the other picture. Subsequent to the

President's Address, the Budget was presented. There also it is claimed that the country is moving towards the goal of economic progress and social justice. But the facts belie all these tall claims. On the one hand, the ruling party talks of *garibi hatao* and, on the other, they are giving unfettered scope to monopoly, both indigenous and foreign, to exploit the toiling millions of our people throughout the country.

According to the latest figures available, the big industrial houses have been given more licences in the last year than in the previous years. In 1969 the big houses got 33 licences but in 1971 they got 113 licences. What does it indicate ? Is it progress in the fight against monopoly or is it giving full scope to monopoly to spread its tentacles and exploitation more vigorously ?

Here many things are said abuot the Birlas. The Birals are one of the biggest monopoly houses. In this House our party and several parties have raised the demand for the nationalisation of the big mononpoly houses, including the Birlas. But what is taking place here ? The Minister says that the Hindustan Motors is a junk factory and there is nothing to take over. But subsequently twice within six months the price of the Hindustan motor car was increased to the extent of Rs. 600 net. It might be by the order of the Supereme Court. Many things have been done here to undo the order of the Court. I know, in the case of the promotion system prevailing in regard to the Central Government employees, judgment has been given by the Supreme Court long back, but it has not yet been implemented. But as soon as the Supreme Court gave the verdict for the increase in the prices of Hindustan motor car and other passenger cars, the prices have been increased.

Not only that, the Ratnakar Shipping Company got Rs. 6 crores as aid from the Shipping Development Fund Committee.The story goes that the Chairman of this Committee resisted for the last one year the payment of any loan, aid or subsidy to the Ratnakar Shipping Company which is owned by the Birlas. But just prior to the elections, taking advantage of the absence of that particular Chairman, Rs. 6 crores were given to the Birlas. This is the way of fighting the monopoly. And you are giving sermons to us to see what wounderful measures the Indira Gandhi Government is taking to fight the monopoly and remove the poverty of the pepole. But these are your *Garibi-Hatao* actions.

Further I want to state here that it is a peculear method of fighting the monopoly. There are certain companies in West Bengal which have several times asked for expansion licences or for the diversification of their products. They are not given licences on the plea that they are at monopolly concern and that they will not get any licence for expansion. But the same Companies, if they ask for any licence to start a factory to produce the same product in any other province, they are given licences. The Birlas were given a licence for starting a cycle-manufacturing factory in Uttar Pradesh; the Dunlop tyre Co. was given a licencs to start a factory in Madras. But they were not given any licence for expansion in West Bengal. Because, it is West Bengal. This is a peculiar method of fighting the monopoly.

So, I would request the hon. Members to think over it as to whether it is a stunt or, actually, it is a fact that you are fighting against the monopoly.

Not only in the industrial field. Many things have been said here and outside. Just now, Shri Chandrajit Yadav told us many things What about the land reforms ? I do not want to speak of any new ceilng I ask: What are you doing with the existing laws ? It has become an annual affair to say that share-croppers will be evicted. There is a socialistic Government here, the Garibi-Hatao Government, at the Centre. They say that they will distribute land to the landless. But thts is the reality. The share-croppers have no security of land. In one year, they will spend everything for the development of a particular land and the next year, they will be evicted by *jotedars or zamindars*. This is the situation obtaining in the agricultural field.

So many things have been said here about nationalisation of banks and that a new system is being proposed by the Finance Minister. But I want to know what has actually been done, say, in the last one

[Shri Dinen Bhattacharyya]

year, for giving loans at the time of necessity to ordinary peasantry, the poor peasantry the middle-class peasantry who till their land. What is the system of giving loan to these people? I want to know whether any loan or any aid or any help has been given by the nationalised banks to the poor peasantry. Nothing of the sort.

So far as my experience goes, and I have gone through the countryside, the ordinary people do not get any help. Yes, some people get help. That is the tragedy. Just as in olden days, the Britishers tried to build up a new vested interest, during the Congress rule a systematic effort is being made to build up a new vested interest in the rural sector. These particular sections of people get loan or help from the nationalised banks. But the ordinary people get nothing.

Not only that. What about the small and medium scale industrialists ? Are they getting any help from these nationalised banks ? They are not given any help. Even, the other day, the hon. Minister was claiming that the rate of growth of small-scale industries has been to the extent of 10 to 11 per cent.

But in the mid-term appraisal it is stated that only 3 to 3½ per cent the small scale industries have developed.

Today and also the other day, in the courses of a reply to a call-attention, the Minister said that, in U.P. 40 lakhs of weavers are almost facing starvation. The prices of the yarn have increased; their market is shrinking, their products are not sold; they are getting no market. Ultimately they are now conducting a struggle against all these systems. Not only in U.P. but in West Bengal also so many weavers are there; there is no system of getting of any yarn at a reasonable price, and there is no market for these weavers. This is their condition ! The small scale industries and cottage industries have no place in this 'Garibi Hatao' Raj. Every thing is, as it was for the big and the monopolists. Today what was the reply of the Minister to the call-attention regarding coir workers and coir industry in Kerala ? There also, lakhs of people are suffering because there is no real help, positive help, given to them by the Government. On the other hand, the coir industry workers earn for the country foreign exchange to the extent of Rs. 14 crores every year. Their condition is now really pitiable, and the Minister had to admit it. But whatever he might admit or they might assure, we know that the policy of this Government, materially, is to see that the profits of the big monopolies are not touched; on the other hand, scope is given so that they may make more profits. Then where is the scope for the ordinary poor people and the middle and small sections of industrialists and agriculturists ? There is no scope for them. There is no help for them from the Government which has taken a vow, of course in a camouflaged way, and has given tall assurances that they will remove poverty, they will see that unemployment is romoved, at the earliest But as days go, by the unemployment and the poverty of the people are increasing.

Here in his Address the President has stated that, in spite of all difficulties, the prices have been kept under control. I will cite only one example. Sugar is nowadays used by the ordinary people also. Even one year back it was selling at Rs. 1.75 per kilo ; this was the maximum price. But now everywhere, in Calcutta, in Delhi and also in villages, you cannot get sugar unless you pay Rs. 4 per kilo, This is the case not only with regard to sugar but with other things also. In the case of every item that is used by the common man, the price has gone up, and every day it is going up. After every Budget you will find the price of cigarettes going up ; it happened this time also. The prices of the other commodities are also going up. The common man has no help in this matter ; Government says something but, in practice, sometning else happens.

So, this is the situation everywhere throughout India. In this situation a slogan is being raised very cleverly. In the name of moratorium they want to stifle the struggle of the working class, They want to ban the strike. Now they are calling it moratorium, but the ultimate aim of that is to ban the strike.

SHRI C.M. STEPHEN (Muvattupuzha) : Who told you ?

SHRI DINEN BHATTACHARYYA : Morning shows the day. Something is said here but those who implement it will say, 'This is the Government order. No strike'. But may I know why you take this step ? Why don't you bring moratorium on the price line ? Why don't you bring moratorium on lock-outs ? Why don't you force the employers who have closed down their factories due to their own mismanagement to re-open them or take them over ? There is no bar to it. But may I ask, how many closed factories have been taken over by the Government ? In some cases I know, in the mills which have been taken over, there I have seen that even the minimum labour laws are not implemented.

So, on the one hand, they are giving ample scope to the big employers to loot our country and on the other hand, when there is any chance of any opposition or any protest, they want to crush it at the very moment by bringing all this sort of legislation in the form of banning strike, etc.

So, in this background we have to see the last elections and I would request the Members here to dispassionately see what has happened in West Bengal. Is it false what we are saying that the elections have been turned into a farce ? No, Sir. In the perspective of the economic situation in our country, both in agricultural and industrial sectors, the workers and the peasants and the democratic people, fighting against the onslaughts of the big monopolists and the feudal interests, are rising against the attempt of the vested interests to curb the democratic rights. In that struggle West Bengal is in the forefront and because of that, this Government, which professes that they are democracy, they are for socialism and they are for '*Garibi Hatao*', cannot tolerate anybody other than their own Party to come to power and head the Government in any State. ...(*Interruptions*)

All over India, people are experienced with our Government only for a brief period —one for a span of 13 months and another for 9 months. Is it not a fact that within that small span of time, the workers of West Bengal in jute, in textile, in engineering industries, etc. snatched away 50 crores of rupees from the pockets of the big monopoly employers ? Is it not a fact that there was a hullabaloo raised by the vested interests and the newspapers owned by them that there is no rule of law and there is no law and order ?May I ask you. Mr. Yadav was saying that there were free and fair elections, I would humbly appeal to Mr. Yadav to kindly come with us and go round West Bengal. Of the three persons you will meet, two will say that there has been some '*jua chori*', some manipulation. ... (*Interruptions*)
The whole elections were a farce. Armed gangsters were on the rampage.They adopted so many measures. Perhaps it has not come in the papers. If I am given the time, I will show you what even *Jugantar* —you know it is owned by one Congress Minister in West Bengal - - has said. He said that the election has not been fair in most of the places. The people of West Bengal cannot expect election in a peaceful atmosphere. Now, who was at the helm of affairs then ? It was under the direct regime of the President's rule. It was under the President's rule that the election was conducted. But we know that conspiracy was hatched up from here, from here, under the direct guidance of Shrimati Indira Gandhi, by which, a particular Department, - - the Research and Analytical Department, - - surveyed the West Bengal situation and gave a report saying that there is no chance of the Congress coming to power, and then conspiracy started from that day. (*Interruption*) Conspiracy started from that day and the officers were sent from Delhi, to the Writers, Building .....(*Interruption*)

SHRI A. K. M. ISHAQUE (Basirhat) : Write a book on Fairy Tales...

SHRI DINEN BHATTACHARYYA : Is it not a fact that one newspaper in Calcutta, two or three days before the election, reported that the Inspector General of Police personally sent a covered letter to S. Ps. of districts - - a confidential letters to hand over that only to the Congress President or secretaries of the districts and not to anybody else ? I take up this challenge and ask them to disprove it. Is it not a fact ? What was the instruction ? The instruction was how to help the Congress President and the Congress candidate, how to manipulate and capture the booths. (*Interruption*)

SHRI K. N. TIWARY (Bettiah) : On a point of order. According to the rules, if such a wild allegation is brought against any officer, or if a certain reference is made, they must have a proof for it. Without giving proof he cannot make a wild charge. He cannot say all these things.

AN HON. MEMBER : It is a newspaper report...

MR. DEPUTY-SPEAKER : He is making several allegations ; it is for the ruling party to contradict. Your time is up. You may try to conclude.

SHRI DINEN BHATTACHARYYA : They adopted 3 or 4 methods. One was, capturing booths by the use of gangsters and not to allow real, genuine voters. Even real voters could not come. Even some of the sober Congressmen complained that they could not vote. They did this method in 50 constituencies. Even then they could not have the majority. They failed. So, some other methods were adopted. They were instructed to put the ballot papers on the previous night. that is, on the 10th night, in the ballot box, and to change the ballot box after putting ballot papers stamped in favour of the Congress candidate. The ballot boxes were changed. I ask my hon. friend, Mr. Ishaque, to tell me whether it is a fact or not, that in Taitala constituency where Abul Hussain was declared elected by the returning officer, subsequently, lights were put off by the congress volunteers and the returning officer, afterwards said that not Abul Hussain but the Congress candidate was elected. The same method was adopted in Kamarhatti and Uluberia South. I will say categorically and emphatically that election has been rigged in West Bengal and democracy is at stake. (*Interruption*) Democracy is at stake in the country today. Today it is like this in West Bengal. Tomorrow it may be in Kerala. Day-after-tomorrow, it may be in U. P. Witch-hunting has been started by Shrimati Indira Gandhi. She cannot tolerate anybody opposing here and that is why this method has been resorted to. Even after the elections, vandalism and Congress as goodaism is continuing in many of the areas. Already, 30 people have been killed. Can any of my hon. friends deny this ? In how many cases have the murderers been apprehended ? Not a single one has been apprehended. The Congress volunteers are going round the areas, forcibly evicting the men belonging to the Left parties and their supporters and volunteers. Believe it or not, about 20,000 people have been forced to leave their homes and hearths. This state of affairs is still continuing.

**15 hrs.**

On the one side, Shrimati Indira Gandhi is taking measures to ban strikes, her partymen in West Bengal are forcibly capturing the trade union offices. If my hon. friends would come with me, I could show them that actually a union under the CITU has been forcibly captured by them So many trade union offices in the 24 Parganas and in Calcutta have been forcibly occupied by these goondas. When we go and complain to the police authorities, they say "What can we do ? We cannot do anything ? They are all Congressmen."

MR. DEPUTY-SPEAKER . Now, the hon. Member should conclude

SHRI DINEN BHATTACHARYYA : I would conclude with an appeal both to you and to the Member of the House. Shri Chandrajit Yadav when he was speaking asked us to search our hearts I would appeal to my hon. friends opposite to search their hearts and see whether they are proceeding towards democracy or whether they have butchered democracy and raped democracy. Sir, I submit that democracy is at stake. So, I appeal.

डेमोक्रेसी बचाओ, गणतंत्र बचाओ । इसी लिये हम आप से अपील करते हैं कि इस के लिये आप आगे बढ़िये, खून खराबा बन्द कीजिये । जिन्होने खून किया है, उसको गिरफ्तार करने की कोशिश कीजिये ।

The forcible occupation of the party offices must be stopped. I would expect that the Prime Minister would take My words seriously....

SOME HON. MEMBERS : Oh

SHRI DINEN BHATTACHARYYA : All right; let a delegation be sent there, and let them judge from there own experience what is taking place in West Bengal.

With this this appeal I shall conclude and ultimately say just one thing more,...

MR. DEPUTY-SPEAKER : There is a no t ime for any more things now.He should coacl ude.

SHRI DINEN BHATTACHARYYA : Shri C. M. Stephen in the course of his speech had some reference to me, and so, I would like to offer a personal explanation. He had said that we had propagated the idea that power came out of the barrel of the gun. Sir, I submit that it is not our propaganda but it is their own propaganda which has been propagated by their people. It was the Naxalites who were propagating this, and they are now all in their camps, that is in the Congress camps.

श्री अमरनाथ विद्यालंकार (चंडीगढ़) : डिप्टी स्पीकर महोदय, यह कोई नई बात नहीं है कि जो लोग बहुत बहादुरी बघारते हैं और फिर हार जाते हैं, उनमें यह स्पोर्ट्समैन स्पिरिट नहीं है कि वे अपनी हार बर्दाश्त कर सकें। जो चोटें उन्हें लगी हैं उन्हें मैं समझता हूं। जो हमारे जनसंघ के भाई हैं, सी०पी०एम० के भाई हैं और स्वतन्त्र पार्टी के भाई हैं उनको चोटें लगी हैं। दूसरों पर वे बहुत चोटें करते रहे हैं लेकिन जब उनको चोटें लगीं तो वे बर्दाश्त नहीं कर पा रहे हैं। डेमोक्रेसी के अन्दर बड़ी जरूरी बात है कि आदमी यह बात सीखे कि अगर वह हार जाय तो यह न कहे जैसा कि कोई खिलाड़ी अगर अच्छा नहीं होता है और वह हार जाता है तो कहता है कि एम्पायर पार्शल था, वह पक्षपात करता था, या कुछ और गड़बड़ी थी। अब आप देख सकते हैं कि जनता का जो इस दफा रुख था, जो वातावरण था देश के अन्दर वह बिल्कुल साफ था कि उन्होंने उन पार्टियों को रिजेक्ट कर दिया और उनको चुनने से इंकार कर दिया और अब वह दोष कांग्रेस पार्टी पर डालना चाहती हैं कि कांग्रेस ने जो इलेक्शन्स कराए वे रिग्ड इलेक्शन्स थे, उनमें गड़बड़ी थी, मनफेयरनेस थी। वे ऐसे तमाम इलजामात लगाते हैं और इस बारे में जैसा कि मेरे साथी श्री शशि भूषण जी ने कहा कि इस बारे में जो तमाम कोरस है, तमाम शोर-शराबा है, यह जनसंघ, यह स्वतन्त्र और यह सी०पी०एम० और दूसरे विदेशी लोग जिन्होंने कि हमारे डिप्लोमेसी के मैदान में और सैनिक मैदान में हमसे हार खाई, वे तमाम एक स्वर से आवाज उठा रहे हैं। यहां के पेपर, जापान के पेपर, अमेरिका के पेपर और दूसरे पेपर जो इन प्रतिक्रियावादी शक्तियों के समर्थक हैं वे तमाम एक ही बात कहते हैं और एक ही बात को दोहराते हैं, शायद वे समझते हैं कि बार-बार दोहराने से कोई बात सच्ची साबित हो जाए। जितनी बातें यहां पर सी०पी०एम० के मेम्बर साहब कह रहे थे अगर वह ठीक हैं तो उनके सामने फोरम खुला हुआ है। अगर उनके पास सबूत हैं तो वे इलेक्शन पैटीशन कर सकते हैं और जहां-जहां अन्याय हुआ है और ऐसी बातें हुई हैं तो वहां सबूत पेश करें और उन बातों को साबित करें कि इलेक्शन्स में गड़बड़ हुई है। उनके सामने दरवाजे खुले हैं लेकिन सिर्फ यह कह देने से और बातें बड़ी-बड़ी कर देने से मतलब हल नहीं होता है। मैं इस बात में बहुत डिटेल में नहीं जाना चाहता क्योंकि सी०पी० आई० के सदस्य और दूसरे सदस्य इस बारे में उन्हें काफी जवाब दे चुके हैं लेकिन उन्हीं बातों को बार-बार दोहराया जाता है मैं समझता हूं इन पिछले वर्षों में जो बहुत बड़ी फतेह अपनी प्रधानमंत्री के नेतृत्व में हमने प्राप्त की, उससे जनता का आत्मविश्वास फिर हमने लौटाया है। हमारे विरोधी भाई हमेशा जनता के सामने हौसाशिकनी की बातें करते थे। वह ऐसा वातावरण खड़ा कर रहे थे कि "यह सरकार क्या करेगी, इन्दिरा गांधी क्या करेगी, कांग्रेस ने देश को बर्बाद कर दिया।" यहां पर हमारे वाजपेयी जी सत्याग्रह करते थे और कहते थे कि बंगला देश को हमारी पार्टी और सरकार कोई सहायता नहीं देती, और यहां पर जो इतने शरणार्थी आ गये हैं वे कैसे वापस जाएंगे ? ये तमाम बातें कहकर वे जनता में अविश्वास और भरोसे की कमी पैदा करने की

[श्री अमरनाथ विद्यालंकार]

कोशिश करते थे लेकिन इस समय जो कुछ भी हमारी नेता श्रीमती गांधी ने किया वह यह कि उन्होंने जनता के अन्दर एक वातावरण पैदा किया, जनता के अन्दर आत्मविश्वास पैदा किया जिससे आज एक ऐसा वातावरण है और लोगों को भरोसा है सरकार पर। पाकिस्तान के साथ हमारा युद्ध हुआ और उस युद्ध में हम कामयाब हुए, इसमें यह ठीक है कि सेना की रणबांकुरी थी, लेकिन यह सब चीजें एक दिन में तैयार नहीं हुई। पिछले 6 सालों से, 1966 से जब कि प्रधानमंत्री ने अपने हाथों में इस देश की बागडोर ली, तब से वे तैयारी कर रही थी जिससे देश को अपने पैरों पर खड़ा किया जाय। देश की सेना को और हथियारों के सम्बन्ध में और युद्ध की जो शस्त्र सामग्री है उसके लिहाज से, गोया कि हर लिहाज से, देश को मजबूत किया जाय। क्यों हमारी सेना और हमारी नेवी लड़ सकी और क्यों इतने शानदार कारनामे दिखा सके ? क्यों हमारी सेना अपने हथियारों की सहायता से पाकिस्तान पर विजय प्राप्त कर सकी और हम अपनी ताकत दिखा सके और सफलता पा सके और क्यों ये फोर्सेज आपस में मिलकर काम कर सकी, क्यों हमारी अर्थनीति और हमारा आर्थिक ढांचा इतनी बड़ी विपत्ति का मुकाबला कर सका कि एक करोड़ लोग यहां आ गये और हम उनको संभाल सके और साथ ही साथ युद्ध का खर्च भी करते रहे और देश की स्थिति प्रायः ठीक रही। यह ठीक है कि जब कोई भी युद्ध होता है तो कुछ न कुछ घबड़ाहट पैदा होती है, कुछ न कुछ प्राइसेज में उथल-पुथल होती है लेकिन मुल्क पर जो इतनी लम्बी विपत्ति आई, जो इतनी बड़ी उथल-पुथल हुई, हमारे आर्थिक ढांचे ने उसका बड़ी मजबूती से मुकाबला किया। इस सब की वजह क्या है ? इसके पीछे पिछले पांच छः साल से लगातार गवर्नमेंट की और हमारी नेता श्रीमती इन्दिरा गांधी की तैयारी थी और उनकी नीति थी जिससे हम इस बात को कर सकें। उनकी नीति की सफलता यह है कि आज दुनिया में हमारे देश की इज्जत बहुत बढ़ी है, हमारी प्रतिष्ठा बढ़ी है। यहां एशिया के अन्दर एक नया अध्याय शुरू हुआ है। तमाम एशिया की जो नीति है, विदेशों से जो हमारी डिप्लोमेसी है, उन तमाम बड़ी-बड़ी शक्तियों में एक नया संतुलन उत्पन्न हुआ है। एशिया के शक्ति संतुलन में आज हमारी भी ऊंची हैसियत है, हमारा सम्मान है, आज हम रास्ता दिखाने वाले बन गये हैं एशिया में उन ताकतों के खिलाफ जो ताकतें चाहती है कि साम्राज्यवाद रहे, जो ताकतें चाहती है कि लूटखसोट होती रहे। हमने वीयतनाम में उसके दूतावास को पूरा दर्जा दिया। उनके साथ हमारे सम्बन्ध अच्छे हुए और दूसरे देशों के साथ भी हमारे सम्बन्ध अच्छे हुए। अरब देशों के साथ भी, बावजूद इसके कि उन्होंने बंगला देश को आज तक स्वीकार नहीं किया है, हमारे सम्बन्ध अच्छे हैं, यह हमारी नीति की सफलता है और इस के साथ ही हमारी जो प्रतिष्ठा बनी है अन्तर्राष्ट्रीय जगत में, वह इस बात का प्रमाण है कि हमारी नीति ठीक थी और जो लोग होसलाशिकनी करते थे और कहते थे कि यह नीति गलत है आज उन्होंने फल भोग लिया क्योंकि लोगों ने देख लिया कि जब इन पर जिम्मेदारी डाली गई तो ये पार्टियां आपस में लड़ती रहीं। ये पार्टियां पहले कांग्रेस को ताने देती थी कि हम लोग आपस में झगड़ते हैं। कहीं पर भी यह पार्टियां चाहे सी०पी०एम० हो, जनसंघ हो, अकाली दल हो, संसोपा हो या इनका गठबन्धन कहीं पर हुआ हो, ये अपने आपको सम्भाल नहीं सकी हैं। कहीं पर भी उनकी हकूमतें ज्यादा देर तक टिकी नहीं रह सकीं। चार छः महीने में उनकी हकूमतें टूटती नजर आई। ऐसी पार्टियां जो फिरकापरस्त पार्टियां हैं, जनता को और देश को क्या दे सकती हैं। इनको जनता ने अच्छा उत्तर दिया है, जनता ने करारा जवाब दिया है। ये बौखला गए हैं और इसी वजह से इस तरह की

बातें कह रहे हैं। ये कह रहे हैं कि गलत इलेक्शन हुआ है। इनको पता नहीं दुनियां के इस बारे में क्या विचार हैं। दुनिया देख रही है कि जनता की क्या भावनायें हैं। जो कुछ भी हमने सफलतायें प्राप्त की हैं, वे हमारी नीतियों की वजह से ही हमें प्राप्त हुई हैं। कांग्रेस पार्टी की जो नीतियां हैं, जो सिद्धांत हैं, उनको जनता ने स्वीकार किया है, उनको प्रतिष्ठित किया है। साम्प्रदायिक दलों, प्रतिक्रियावादी दलों की इन इलेक्शन्ज में पराजय हुई है। इन पार्टियों के लोग जो हारे हैं, उनके प्रति मुझे वैयक्तिक तौर पर सहानुभूति है। लेकिन उनको समझना चाहिए कि यह सिद्धांतों की पराजय हुई है और उनको अपने सिद्धान्तों को, अपनी नीतियों को बदलना चाहिए और समझना चाहिए कि जनता किस प्रकार की नीति चाहती है, किस प्रकार से आगे बढ़ना चाहती है।

राष्ट्रपति जी ने अपने अभिभाषण में भूत की चर्चा की है और भविष्य के लिए जो बातें कही हैं वे भी बहुत सुन्दर बातें हैं। रोम एक दिन में खड़ा नहीं हो गया था। एक दिन में देश की तमाम समस्यायें हल नहीं हो सकती हैं। लेकिन जिस दिशा की ओर उन्होंने संकेत किया है, वह बिल्कुल ठीक दिशा है। हम देख रहे है कि भूमि सुधार का प्रश्न हमारे सामने है। आर्थिक नीति की भी पुनर्रचना का सवाल हमारे सामने है। और भी बहुत से सवाल हमारे सामने हैं। इनके बारे में हमारी नीति क्या होगी, इसका भी जिक्र उन्होंने अपने एड्रेस में किया है। इस सबके पीछे जो भावना है, इसकी जो टोन है उसे भविष्य के प्रति आशा की भावना ही बंधती है, और मैं समझता हूं कि हमें इसमें कामयाबी अवश्य मिलेगी।

अन्त में अपनी कांस्टीट्यूएंसी चंडीगढ़ के सम्बन्ध में कुछ बातें कहना चाहता हूं। चंडीगढ़ की दशा तीनों लोकों से न्यारी है। लोकतंत्र के प्रवाह से इस सुन्दर नगर को अलग रखकर वहां नौकरशाही को एकाधिपत्य दे दिया गया है। जो जनता पर हकूमत करना चाहते हैं, जनता की सेवा नहीं। चंडीगढ़ ही सारे देश में ऐसा नगर है जहां एक दो बातों की तरफ मैं विशेष रूप से सरकार का ध्यान दिलाना चाहता हूं। बेकारी समस्या एक बहुत विकट समस्या है। यह समस्या मुंह बाए हमारे सामने खड़ी है। मुझे दुख है कि हमारी नौकरशाही इसके लिए काफी हद तक जिम्मेदार है। जो रुपया रखा गया उसका हम इस्तेमाल नहीं कर सके। राष्ट्रपति जी ने अपने अभिभाषण में टास्क फोर्स की बात कही है जो एग्जेमिन करेगी कि हमारा रुपया खर्च क्यों नहीं होता है, रुपया रखा जाता है तो क्या वजह है कि वह बच जाता है और कौन इसके लिए जिम्मेदार है। मैं समझता हूं कि हमारी जो नौकरशाही है, हमारा जो शासनतंत्र है, उसको बहुत सम्भालने की जरूरत है। जो फिजूल खर्च होता है, उसको रोकने की जरूरत है। फालतू कर्मचारी हमने रखे हुए हैं, उसको देखने की जरूरत है। अगर अच्छी तरह से एग्जेमिन किया जाए तो आधे कर्मचारियों से काम चल सकता है। हमारे शासन का जो ढांचा है उसमें हमने फाल्तू आदमी बहुत रखे हुए हैं। काम थोड़ा होता है, खर्चा बहुत ज्यादा हो जाता है। इन चीजों को हमें देखना चाहिये।

मैं चंडीगढ़ से चुनकर आया हूं और उसके सम्बन्ध में मैं एक दो बातें भी कहना चाहता हूं। आपको मालूम ही है कि पीछे चंडीगढ़ के भविष्य के बारे में काफी चर्चा होती रही है, काफी विवाद इसके सम्बन्ध में रहा है। इस विवाद को खत्म किया जाना चाहिए। प्रधान मंत्री के एवार्ड के मुताबिक अगर इसको पंजाबी सूबे में मिलाना हो तो उसमें मिला देना चाहिए और इसको अगर सेंटर के नीचे रखना है तो कम से कम वहां का जो कर्मचारी-तंत्र है, उस को ठीक किया जाए। कोई न कोई जनता के साथ उसका सम्पर्क होना चाहिए। आज के

[श्री अमरनाथ विद्यालंकार]

कर्मचारी-तंत्र में जनता की कोई परवाह नहीं की जाती है। जनता के साथ ज्यादा से ज्यादा सम्पर्क पैदा करने की कोशिश होनी चाहिये। इसी तरह से चंडीगढ़ में जो सेंटर के एम्प्लायीज् हैं उनको मंहगाई भत्ता पंजाब और हरियाणा के लोगों के हिसाब से मिलता है। वहां लोगों की शिकायत है कि चंडीगढ़ का जो स्पेशल एलाउंस है, चंडीगढ़ एलाउंस जो है, वह उनको मिलना चाहिये। इसी तरह से चंडीगढ़ के अन्दर, आप सुनकर हैरान होंगे, कि सारे देश में किरायों पर रेस्ट्रिक्शन है, लेकिन वहां कोई रेस्ट्रिक्शन नहीं है। मकानों के मालकों पर कोई मर्यादा नहीं। वे लोग जितना चाहें और जब चाहें किराया बढ़ा सकते हैं। जब चाहें मकान खाली करा सकते हैं। वहां के रेंट्स पर रेस्ट्रिक्शन होनी चाहिये। अधिकारियों का सलूक लोगों के साथ बेहतर होना चाहिये। आज वह नहीं है। अफसरशाही ने चंडीगढ़ को आज अपनी एक एस्टेट समझ लिया है और एरोगेंट तरीके से वह शासन करती है। इन हालात को बदलना चाहिये और समझना चाहिये कि जहां चंडीगढ़ एक सुन्दर शहर हैं, वहां पर वह सिर्फ चन्द अफसरों या बड़े बड़े रिटायर्ड अफसरों के ही रहने की जगह नहीं है, केवल अमीर लोगों के रहने की ही जगह नहीं है, बल्कि गरीबों के भी रहने की वह जगह है। जो अफसर जनता के साथ सहयोग नहीं करते, सम्पर्क नहीं रखते, उसकी राय से नहीं चलना चाहते हैं, उनको आप रोकें और उन में आप सुधार लायें। जनता अफसरशाही से बहुत परेशान है। अफसरों का रुख जनता के प्रति कठोर और अक्खड़पन का है, दोस्ती और सहानुभूति का नहीं। उसे आप सुधारिये।

*SHRI T. S. LAKSHMANAN (Sriperumbudur) : Hon. Mr. Deputy Speaker, Sir, our President, Shri V. V. Giri, is a renowned labour leader and before he became the President be had devoted his entire life to the cause of welfare of labour. The workers and the labourers had implicit faith in his leadership.

He was for some time the Labour Minister in the Cabinet of Shri Jawaharlal Nehru, who was acclaimed as the light of Asia, the uncrowned King of India, the lustrous gem of humanity. The entire country knows that Shri V.V. Giri resigned his ministership from the Cabinrt of such a leader simply because he disagreed with certain policies of labour welfare being followed by the Government. I would say that this is an unforgettable event in the history of our country.

To my dismay and to the disappointment of labour, there is no reference at all in the President's Address about the problems of labour and the Government's policies of labour welfare. The workers and labour were eagerly expecting that the President's Address would reflect their hopes and aspirations. But I am sorry to point out that the President's Address draws a blank in this respect.

It is an acknowledged fact that the agriculturists are the backbone of our country and agriculture is the life source of our economy. The agriculturists go to work when the cock crows, shed their blood and sweat in different kinds of activities throughout the day and return home when the owl hoots. There is no reference at all to the problems of agriculturists and agricultural labour in the President's Address.

We are in the 25th year of our Independence and our population has crossed the figure of 55 crores. The vast majority of our people are agriculturists, weavers, and factory workers. The country knows that unless these people work hard, other will not get their food and clothing. What is the position of these people ? Are they in a position to buy their daily necessities for a month ? They go to shops every day and purchase their daily needs. The prices of daily needs are going up hour by hour and in fact, minute by minute. There is no mention at all the in the President's Address about the steps being taken by the Government for arresting the phenomenal rise in prices. In 1970 the price rise was 6.2% in 1971 the increase went up to 9.5%. In

January 1972, the price increase was 4% higher than what it was in January 1971. In 1955 the price of foodstuffs was 92 Points and in 1971 it was 235 points. What will the poor workers do if the price rises like this ? Have their wages gone up proportion to the rise in price ? The answer is in the nagative. The hopes of harassed workers have been belied by the President's Address because the Address has nothing to say about the steps being taken by the Government to control the price rise.

It is also regrettable that the President Address does not say anything about the imminent necessity of providing basic and minium wages to the workers. It the workers are not given minimum wages, I wonder how the Government will be able to achieve the objective of establishing democratic socialism in our country. Only when the workers are given the minimum wages, the productivity will pick up which in turn will bring us nearer to tho goal of self-reliance.

Sir, we find that there are inter-State water disputes in our country. For example there is the long standing Cauvery Water dispute between Tamil Nadu and Mysore. How these disputes are going to be resolved? There is no inkling about this in the President's Address. The people of Tamil Nndu are greatly agitated because the dispute may be setted against their interests because of Congress Party coming back to power in Mysore. If the rivers flowing across the States are declared as national rivers, there will be no room for such inter-State water disputes.

In the Fourth Five Year Plan, the proposed outlay on Rural Water supply is Rs. 125 crores. But, just before thc elections to the State Assemblies, keeping an eye on the votes of rural people, the Central Health Minister, Shri Uma Shankar Dikshit, announced on Ist March 1972 in New Delhi that the Government have formulated a Five Year Rural Water Supply Scheme at a cost of Rs. 110 crores and it has been sent to the Planning Commission for further processing. When will this scheme be implemented ? In which Five Year Plan this scheme will be incorporated ?

I am at a loss to know that in theFourth Plan there is no provision for rural housing. The Bhagavati Committee in its interim report has stated that a sum of Rs. 125 crores will be provided during 1972-1974 for rural housing. But, what do we find in this years budget of the Government of India ? A sum of Rs. 125 crores has been allocated for rural housing, slum clearance, primary education, unemployment in rural areas and so many other things. What is going to be the share of rural housing in this amount of Rs. 125 crores ? One is forced to come to the conclusion that practice is different precept. The President says something and the Government does some other things.

The National Council of Science and Technology has been endeavouring to find out new import substitutes with a view .to reducing the drain of our valuable foreign exchange. What do we see today ? The Government of India have offered many concessions, inducements and incentives for attracting British capital and technology. Is this not going to affect the country's efforts to develop iddigenous knowhow ? Will not our productivity be jeopardised ? I want to have a clarification for this contradiction.

The President in his Address has said that the State Governments should show some restraints in getting overdrafts from the Reserve Bank of India. The Government of India are also thinking of prohibiting the States taking overdrafts from the Reserve Bank. It is axiomatic that for achieving economic independence the State Governments have to increase the productivity, have to encourage the setting up of new industries, have to give a helping hand to the struggling industries. As the States have very little potential for raising additional revenues they go to the Reserve Bank for overdrafts so that they can concentrate on these constructive activities. Is this a crime ? Only when there is industrial growth, there will be economic development. After appropriating all the revenue raising resources, if the Centre thinks of putting curbs on tendency of States to take overdrafts, will there be appreciable increase in our productivity ? The quantum of oyerdrafts taken by the States is not even one-fourth of the loss suffered by the public sector undertakings of the Central Government.

[Shri T.S. Lakshmanan]

The President in his Address has enumerated the proposed legislations of the Government of India. Last year the Drug Prices (Control) Act was enacted by this House, and in that the ceiling of profit for the drugs manufacturing companies was fixed at 15%. What do we see ? The drugs manufacturing companies are making huge profits inspite of this Act. For example, the Warner Hindustan's profit was 20%. The profit of Pfizer Company was 26.4%. I would like to know what action has been taken against these companies under the penal provisions of the Drug Prices (Control) Act

The President says that our economy was not stagnant last year But the real picture is, in 1971-1972 while the exports have gone up by 3.5%, which is comparatively very much less than previous years' achievement, the imports have gone up by 18.5%.

With this imbalance in the country's import and export trade, do you think that the economy would have made progress ? Let us take another example The production of virginia tobacco in 1971-72 was 1500 lakh kilos The internal consumption and the export came to 950 lakh kilos Britain has reduced its import of tobacco by by 25%. On account of excesssive excise duty on tobacco, the internal consumption has also come down, resulting in the glut of tobacco. What steps have been taken by the Government to remedy this situation ?

The president has proclaimed that the Government's responsibility towards the families of those who sacrificed their life in the recent Indo-Pak war would be discharged in full. In big cities and towns, you cannot acquire or construct a house in two months. According to the rules of the Governments, the families of officers killed in action can stay in the Government accommodation for only two months. Where will they go after two months ? The expenditure of concessions and amenities offered to these families comes to Rs. 3 crores per annum, which is in fact less than a day's expenditure during Indo-Pak war. Is this really the gratitude we show to the kith and kin of the valiant sons of India who sacrificed their life in defence of the country ?

I am sorry to say that the President's Address is just an expression of sanctimonious sentiments in flowery language. It does not reflect the Central Government's capability to achieve the set goals.

As I pointed out earlier, the agriculturists and the workers, who form the majority of our population and on whose efforts the rest of the population survive, are faced with innumerable problems If their problems are not solved expeditiously, all our efforts on economic development will be set at naught

With these words, I conclude.

श्री हरी किशोर सिंह (पुपरी) उपाध्यक्ष महोदय, मैंने बड़े गौर से ग्राम चुनावों के सम्बन्ध में अपने सी० पी० (एम०) के मित्रों के भाषण सुने। इस पर मुझे थोड़ा आश्चर्य हुआ। आखिर इतने बड़े देश मे, इस महान् जनतंत्र मे, काफी बड़ा चुनाव होता है। उस मे थोड़ी बहुत गड़बड़ी अक्सर हो सकती है। मैं नही कहता कि उस मे गड़बड़ी नही हुई होगी। थोड़ी बहुत हुई होगी। लेकिन सारे चुनाव पर यह आरोप लगाया गया है कि यह चुनाव गलत हुआ है, जनतंत्र की हत्या हो गई है, इस देश से जनतंत्र समाप्त होने जा रहा है, इस देश में तानाशाही मनोवृत्ति बढ़ती जा रही है और देश की प्रधान मंत्री तानाशाह बन रही हैं। मुझे इस पर थोड़ा आश्चर्य हुआ। मार्क्सिस्ट पार्टी ने इस चुनाव के बारे से बहुत बड़ा मन्सूबा बांधा था। चुनाव के दो दिन पहले उस ने यह घोषणा भी की थी कि बंगाल में हमारी विजय निश्चित है। सम्भव है कि इतनी बड़ी पराजय से इन लोगों को बहुत धक्का लगा हो और उसके कारण वे अपना संतुलन खो बैठे हो और आवेश में ऐसे गंभीर आरोप लगाते हों जो बिलकुल निराधार हैं।

मैं तो उम्मीद करता था कि जिस तरह 1967 के चुनाव में कई प्रान्तों में पराजय के बाद कांग्रेस पार्टी ने आज अपने कार्यकर्ता,

नीतियों और नेतृत्व में परिवर्तन किया, उसी तरह मार्क्सिस्ट पार्टी भी इस चुनाव के परिणामों से सबक ले कर अपनी नीतियों और कार्यक्रमों पर पुनर्विचार करेगी और देखेगी कि उस की नीतियों और कार्यक्रमों में क्या त्रुटियां हैं और उस के नेतृत्व ने कहां गलती की है।

1967 के आम चुनाव के बाद बंगाल मे किस तरह का वातावरण पैदा किया गया था ? क्या घेराव जनतात्रिक परम्परा के अनुकूल था ? क्या घेराव संसदीय जनतत्र को आगे बढ़ाने के लिए किया गया था ? बंगाल में घेराव और हिंसा का जो वातावरण पैदा किया गया था, क्या वह जनतंत्र के अनुकूल था ? मैं चाहता हूं कि मार्क्सिस्ट पार्टी के लोग इस पर गम्भीरता से विचार करें, क्योंकि 1967 के आम चुनाव के बाद बंगाल मे घेराव और हिंसा का जो वातावरण पैदा किया गया, उस का परिणम यह हुआ कि बंगाल मे हड़ताल, घेराव, औद्योगिक प्रतिष्ठानो का बन्द होना और बेकारों की संख्या मे बढ़ौतरी एक आम बात हो गई। कोई आदमी बंगाल मे जाना नही चाहता था। बिहार के बहुत से लोग बंगाल में रहते हैं। आये-दिन हम साधारण लोगों और मजदूरों से बंगाल की कहानी सुनते थे. तो हम को बहुत तकलीफ होती थी।

MR. DEPUTY-SPEAKE : He May continue his speech on Monday because we have to take up non-official business now.

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15.30 hrs.

## PRACTISING ARCHITECTS BILL*

SHRI K. LAKKAPPA (TUMKUR) : I beg to move for leave to introduce a Bill to provide for the registration of practising architects and for matters connected therewith.

MR DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the registration of practising architects and for matters connected therewith."

*The motion was adopted.*

SHRI K. LAKKAPPA : I introduce the Bill.

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## CONSTITUTION (AMENDMENT) BILL

*(Amendment of articles 74, 75 etc.)*

SHRI A.K. GOPALAN (Palghat) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI A.K. GOPALAN : I introduce Bill.

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## CONSTITUTION (AMENDMENT) BILL*

*(Amendment of Eighth Schedule)*

DR. KARNI SINGH (BIKANER) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

DR. KARNI SINGH : I introduce the Bill.

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## PRICE CONTROL BILL*

DR. KARNI SINGH (Bikaner) : I beg to move for leave to introduce a Bill to control the prices of all essential consumer articles.

MR. DEPUTY-SPEAKER : The quetion is :

"That leave be granted to introduce a Bill to control the prices of all essential consumer articles."

*The motion was adopted.*

DR KARNI SINGH : I introduce the Bill.

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## CONSTITUTION (AMENDMENT) BILL*

*(Amendment of articles 19 and 39)*

DR. KARNI SINGH (Bikaner) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

DR. KARNI SINGH : I introduce the Bill.

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## CONSTITUTION (AMENDMENT) BILL*

*(Amendment of Eighth Schedule)*

SHRI RATTANLAL BRAHMAN (Darjeeling) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The Motion was adopted.*

SHRI RATTANLAL BRAHMAN : I introduce the Bill.

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**15.34 hrs.**

## CONSTITUTION (AMENDMENT) BILL—*Contd.*

*Amendment of article 141 and insertion of new article 143A, etc.) by Shri C.M. Stephen.*

MR. DEPUTY-SPEAKER : The House will now take up further consideration of the Constitution (Amendment) Bill moved by Shri Stephen. Out of the two hours allotted for the Bill only 9 minutes have been taken and 1 hour 51 minutes are left Shri Stephen will continue his speech.

SHRI C. M STEPHEN (Muvattpuzha) : Mr. Deputy-Speaker, on the last occasion I was trying to spell out the general considerations which persuaded me to move for the consideration of this Bill. Before I pass on to the clauses, there are one or two things that I want to say

As I was trying to explain last time, the Constitution itself considers the law bearing on the Constitution as a class apart, so much so that article 145(3) says :

"The minimum number of Judges who are to sit for the purpose of deciding any case involving a substantial question of law as to the interpretation of this Constitution or for the purpose of hearing any reference under article 143 shall be five :"

That shows the approach of the fathers of the Constitution to any issue involving the interpretation of the Constitution or constitutional law, that it is a very important law, a class apart, which has got to be treated with special emphasis and with special precautions.

Now I am endeavouring to sub-divide this constitutional law. The general law bearing on the interpretation of any constitutional law is one thing, but there is another class of law arising from the inter-

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pretation of the Constitution, which involves a clash of opinion between the legislature and the judiciary in the matter of the stand that the respective bodies take on interpretation ; that is, the law coming up for challenge under article 13 of the Constitution. Those cases, where the judiciary is asked to consider the validity of any law on the ground that it runs counter to the stipulation of article 13, must be considered as another class which is much more important.

As I said last time, when Parliament or the Legislature passes a law, it is presumed to have taken into consideration the question as to whether the law which it is passing does or does not contravene the provisions of article 13 ; that is to say, whether it contravenes any of the fundamental rights It interprets that law to itself It interprets the provisions in Chapter III –Fundamental Rights and satisfies itself that there is no contradiction. Having interpreted to itself the concerned law, it passes a law. Then, it goes to the Supreme Court. The Supreme Court, in exercise of its functions, proceeds to interpret the law in its own sphere.

My argument is that Parliament in the process of enacting a law is discharging a constitutional function of interpreting the law to itself and satisfying itself that there is no contradiction. The Supreme Court, when considering the law, does another interpretation and tries to satisfy itself whether it has contravened article 13. Two supreme bodies come to or are apt to come to two different conclusions. Under such circumstances, is it enough that the Supreme Court disposes of this matter, as it does, by a mere interpretation of a particular constituttional provision ? According to me, it is not enough. Therefore, I attempt through this Bill to consider any law, which is sought to be struck down as contravening article 13, as a class apart for which special provisions have got to be made.

I shall now take the Bill clause by clause. I would begin with clause 5 of my Bill. Clause 5 seeks to incorporate a new article after article 226. I am dealing in this clause with the functions of the High Court. The position now is that if the Supreme Court considers a question of Constitution, the Constitution says that it shall be done by a bench of five Judges ; but if the validity of a law is challenged before the High Court, under the rules now prevailing in many of the High Courts, a single member bench can sit in judgment and strike down the law. The absurdity is very evident. Whereas the Supreme Court is asked to constitute a special bench for the purpose and decide it, the High Court, in its jurisdiction, can constitute a single member bench which will hear it and which can strike it down, whether it is an Act of the Legislative Assembly or of Parliament. Acts of Parliament can also go before the High Courts. Even the Constitution (Twenty-fourth Amendment) Act can go before a single member bench of a High Court. That is what the present law is. If nobody takes it in appeal, that is the final thing. That vitiates the entire scheme of things of constitutional law in the country.

What is happening is that very basic laws, which grapple with fundamental social questions of the country, like agrarian reforms and many other fundamental questions, are struck down by a single member bench sitting in judgment. The contradiction is evident and I am now seeking that this absurdity must be removed. Since the the Constitution says that there must be a special bench of five in the Supreme Court to consider such constitutional law, all that the High Court can do is to look into it, hear it and form its own opinion, but that cannot be the final opinion. There must be a reference to the Supreme Court and the Supreme Court alone must be competent to say finally whether that is or is not valid. That is all that I am asking.

I do not want to elaborate on this, I have already explained the rationale behind this provision. The Supreme Court alone should be the castodian of this particular branch of law; the Supreme Court alone must finally say, whether or not the law passed by the legislature is valid or not. Because the clash is between the supreme legislature of the country and the supreme judiciary of the country. The Supreme Court alone must have the competence to say about the validity of a law. Otherwise, there are obvious contradictions

[Shri C.M. Stephen]

The constitutional law is being violated. The fundamental reform actions and revolutionary actions which have got to take place are just altered by a cantankerous action by any single judge. That should be obviated.

Now, I come to article 145A which deals with the case of a law being sought to be challenged on the basis that it contravenes article 14. My submission is that the Bench to be constituted must be a larger Bench than the one contemplated under article 145A(3). Article 145A (3) deals with ordinary interpretation of question of law and, for that, the Consititution says, five Judges, I am suggesting that when under article 13 a law is challenged, the Bench must be consituted of nine Judges and, in the matter of constitution of the Bench, the President of India must have a vioce. The President of India also is a guardian of the Constitution. The minimum should be ninc Judges but the President can say that there should be more Judges.

It can be a larger Bench in accordance with the importance of law before it. When that Bench is constituted, I further say:

> "Provided that the Judges to be appointed to the Bench may include Judges eligible for appointment under articles 127 and 128."

Under articles 127 and 128, how the Judges of the Supreme Court can be called upon for a particular purpose is provided. The best legal talent all over the country can be selected and a Bench constitued. That Bench will be constituted by the Chief Justice. I am not suggesting that the President of India may constitute the Bench. But the President of India must be consulted. The President of India must be consulted and, in concurrence, a Bench must be constituted.

Now, there, it should not be a simple majority, a mere majority. We take a mere majority for granted. But the judgment by mere majority does not automatically, logically follow. It is there by a provision of the Constitution.

The provision under article 145 of the Constitution says:

> "No judgment and no such opinion shall be delivered by the Supreme Court save with the concurrence of a majority of the Judges present at the hearing of the case, but nothing in this clause shall be deemed to prevent a Judge who does not concur from delivering a dissenting judgment or opinion."

Therefore, what I am submitting is that the judgment of the court is to be by the majority is not by the general law, is not as a mere ordinary logic, but it is enjoined by a particular provision of the Constitution. If it can be a majority, it can also be a larger majority. For example, to amend the Constitution, it is enjoined on us that there must be a two-thirds majority. That is what is specifically enjoined on us. If it is an ordinary, it is not a two-thirds majority. If it is an amendment of the Constitution, it is a two-thirds majority. In the same way, to strike down a law which is passed by the legislature of the country, it shall not be by a mere majority. It must be by a two-thirds majority.

What happened in the Golak Nath case ? It must be a warning to us. There was a judgment given by the Constitution Bench of the High Court by an absolute majority in the first place, and then by a simple majority. A precedent is established by two successive judgments. That judgment is invalidated by what is known as an inherent jurisdication of the Supreme Court to go back upon the decision of the previous Bench.

And that is struck down by a single majority! One additional judge sitting in a Constitution Bench, a majority of one, has done havoc, and the progress of the country has been held up. I do dot say that the Supreme Court must not or must pass a judgment like that. What I am saying is that there must be ample precaution for that. It shall be by two-third majority. If, by two-third majority, in a Bench constituted in consulation with the President a decision

is taken that the law passed by the supreme legislature of the country is invalid, we accept. The only things is that there must be sufficient precaution. Let it not be by a simple majority; let ue not take any chance. That is the spirit and purpose with which I have moved that it must be by a two-third majority. That is then principle of article 145A. This is what I want to say:

> "No judgment shall be delivered by the Constitution Bench of the Supreme Court adjudging any law as constitutionally void, save with the concurrence of two-thirds of the Judges present at the hearing of the case, but nothing in this clause shall be deemed to prevent a Judge, who does not concur, from delivering a dissenting judgment."

There is another clause, article 143A, new clause which I am seeking to bring in. The clause is that if, at any time the President of India feels that a judgment has been pronounced by some court in the country which is *prima facie* wrong constitutionally, then the matter shall not be allowed to rest there. Now the position is this : suppose somebody goes to High Court, somebody passes a judgment; a Constitutional proposition is put forth; and that man does not take up in appeal, because for an appeal to be given there are certain provisions; and if he does not take up in appeal; then that becomes a part of law precedent. And that vitiates the stream of Constitutional law of the conutry. That ought not to be done. The guardian of the Constitution, the President of India, must have the power and the jurisdiction to be on the look-out as to whether the Constitional law of the country is being vitiated. If he is satisfied that a wrong decision has been given, then he is not given the power to veto it, but he is given the power to take up the matter and refer it to the Supreme Court and asked the Supreme Court to decide on that particular question; he can say, "I have got my doubts as to its validity; you are asked to decide on this." In this, I do not want a two-third majority; I want a simple majority because it is not a question of striking down a law; it is an interpretation of the Constitutional provision. When interpretation of Constitutional provision comes, article 143A comes; a Constitutional Bench will be constituted and by a simple majority they can decide whether the law propounded by the court is correct or not. If the Supreme Court also pronounces on a Constional question under Article 143 and if the President feels that it is wrong, he must have the jurisdiction to offer it back to the Supreme Court and ask them to constitute a Special Bench for that; a Special Bench must concider it and finally pronounce what the law or the question must be. This is only to keep the stream of Constitutions law clean because that is a very fundamental law. Why is it fumdamental ? It is accepted throughtout that the priniciple of precedents does not apply to Constitutional law. American law takes up that position; the Indian law takes up that position. They say that where there is a written Constitution that prevails and not what the Bench said. Therefore, whatever is the decision of thn previous Bench, they go ahead on their owe opinion on the case before them because it is a fundamental law. If it is a fundamental law, the fundamental law must be kept clean and clear, and no judge must be permitted to tamper with it and vitiate it. The guardian of the Constitution, the President of India, must have the jurisdiction to be on the guard that the Constitutinnal law is not vitiated.

One more provision I have added and that is an amendment to article 141. That is only re-statement of the law as it is now. Regarding the law as propounded by the Supreme Court, the judgment, wherever there is a Contsitutional question, we are not bound by what the other judge said. I want to put it beyond any doubt so that even Golak Nath case may not be cited by anybody. It need not be the law of the land. As it is it can be looked back upon. Therefore, I say:

> "Provided that it shall not be binding on the Constitution Bench of the Supreme Court which may be constituted from time to time under articles 143A and 145A."

As it is. although we have passed the Constieutional Amendment Bill, ths fact remains that according to Art. 141 the judgment delivered by the Supreme Court is the law of the land and that law is binding on every subordinate Judge in the court. We have now passed the 24th Amendment to the Constitution. If the 24th Constitutional Amendment goes straight to the Supreme Court, the Supreme Court can have a

[Shri C.M. Stephen]

stsaight look at it Therefore, suppose an Act is passed by some legislature in contravention of Art. 13 and suppose that is taken up before the High Court of a particular State, the High Court is bound not by the law we passed but by the law laid down by the Supreme Court under Art. 141 because the law says that the law laid down by the Supreme Court is the law of the land and shall be binding on every court in the country and the Supreme Court has said by giving an interpretation that it does not come within the defimtion of law, it a clause That is the danger now Therefore, I submit that Art 141 itself must be amended and I say that any constitutional decision given by the Supreme Court is not the law of the land Every case that is coming up may be looked at afresh and that is the purpose of the amendment I am ceking

SHRI N K SALVI (Betul) The law laid down by the Supreme Court is final and you cannot amend it

SHRI C. M STEPHEN What I am saying is provided that it shall not be binding on the Constitution Bench of the Supreme Court. That is what I said

This is already covered by the 24th Constitution Amendment Bill That is to say, whatever be the authority to amend the Constitution, you can modify in accordance with the procedure laid down in clause (2) This was introduced or moved before we passed the 24th Amendment Bill But here, I take a separate stand about it According to me, the word 'Bill' means the 'Constitution'. The stand taken by th Supreme Court is that any amendment of ...e Constitution is a law. Any amendment, any Act of amendment to the Constitution is a law It is on that basis that they said that this Act, which you are enacting is a law under Art 13 and 'therefore, we have the jurisdiction to consider whether this law contravenes the provisions of the Fundamental Rights'.

Now, I want that the word 'Bill' be removed and in that place 'Resolution' may be substituted I want for the words "only by the introduction of a Bill for the purpose in either House of Parliment", the words "by movmg in either House of Parliament a resolution with the terms of the proposed amendment specifically stated therein" shall be substituted This is only to take the wind out of the argument of the Supreme Court that any amendment to the Constitution is also ordinary law and it is hit by Art 13. Therefore, I have sought to remove the word 'Bill' and instead I have sought to put in the word 'Resolution'. That is; it is a constituent act and not a legislative action By a constituent action it may be carried Therefore, Art 13 will not be hit Anyway, the 24th Amendment Bill has been passed by us and that is on the statute book Therefore, that is not very serious, and amendment to Art 141, as I submitted, is only a restatement of the position that the Supreme Court has already taken This is also not very vitally important, according to me. Therefore, I request the Minister to accept that this Article must be looked into very seriously even for the purpose of seeing that the constitutional scheme is not vitiated and also to see that the High Court does not tamper with the laws which are passed by the State legislatures or the Parliament and to ensure that the Supreme Court again as a normal function cannot take it up and strike it down by a special majority and that the verdict of the spreme Parliment must not be tampered with

With these words, I move this Bill for the consideration of the House

श्री कमल मिश्र मधुकर (केसरिया)

उपाध्यक्ष जी, माननीय स्टीफेन साहब जो बिल लाए है उसके जरिए हाल मे उठे विवाद को हल करने की उन्होंने अपने तई प्रयास किया हैं—इस विवाद को कि लेजिसलेचर बडा है या जुडिशियरी बड़ी है। कुछ ऐसे जजमेन्ट्स हुए हैं सुप्रीम कोर्ट के जिनसे यह विवाद खड़ा हो गया है कि संविधान की व्याख्या का अंतिम अधिकार किसके हाथ मे हैं। मैं समझता हूं स्टीफेन साहब जो बिल लाए हैं उसमें इस बात की भूल की है कि पूंजीवादी समाज मे अन्तर्विरोध रहता है, वैचारिक अन्तर्विरोध विभिन्न रूपों से और विभिन्न धारणाओ से होता है जिसका एक रूप यह भी है। इस बिल में वे प्रेसीडेन्ट को पावर दे रहे हैं, सुप्रीम कोर्ट को कुछ नयी पावर

दे रहे हैं तथा कांस्टीट्यूशन बैंच का कैसे निर्माण हो उसका विधान बताया है तथा यह भी बताया है कि संवैधानिक प्रश्न जो खड़े हों उनका निर्णय कैसे लिया जाये।

15.50 hrs.

[SHRI K.N TIWARY IN THE CHAIR.]

सभापति महोदय, बुनियादी बात यह है कि पूंजीवादी समाज मे जो अन्तर्विरोध रहते है उनकी अभिव्यक्ति कई तरह से होती है बल्कि आज कल तो अपने देश में यह सवाल पैदा हो चला है कि गवर्नर के अधिकार कम है या गवर्नर के अधिकार अधिक है, सुप्रीम कोर्ट के अधिकार कम है या अधिक है। यह सारा विवाद जो पैदा होता है वह इसलिए पैदा होता है कि पूंजीवादी समाज अपने अन्तर्विरोधो को हल नही कर पाता है। उस अभिव्यक्ति को उन्होने यहां पर हाईलाइट किया है और यह एक अच्छा काम किया है लेकिन जो सुझाव है वह मानने के लायक नहीं मालूम पड़ रहे है। उन्होंने कहा है :

> If at any time it appears to the President that a decision by the Supreme Court, otherwise than by the Constitution Bench, or by any High Court, on a question of law as to the interpretaation of the Constitution, requires futher judicial consideration, the President may refer the question to the Supreme Court for hearing and decision by a Constitution Bench of the Supreme Court to be constituted as provided for in Article 145A.

यानी प्रेसीडेन्ट को ऐसा लगे। परन्तु आज देश की हालत यह है कि जो कानून है, जो संविधान है, जो न्यायपालिका है वह आम लोगों को लिए नहीं है। नतीजा यह होता है कि जो सम्पत्ति वाले लोग हैं, जो प्रभाव वाले लोग हैं वे लोग ही हाई कोर्ट अथवा सुप्रीम कोर्ट तक जा सकते हैं। जो जजमेन्ट्स होते हैं या संविधान का जो प्रश्न हैं इन प्रश्नों को हल करने के लिए क्या मेथड हो उसका कोई हल नहीं बताया गया है। इन्होंने यह नहीं बताया है कि वह कौन से रास्ते होंगे जिनसे प्रेसीडेन्ट को ऐसा अपीयर हो। इन्होंने यह भी नहीं बताया है कि संविधान में जो बिल इन्होंने पेश किया है संशोधन के लिए, जहांतक सम्पत्ति का अधिकार है जैसा कि गोलकनाथ केस का इन्होंने उदाहरण दिया वहां तक मान्य हो सकता है या सामान्य अधिकारों पर भी लागू होगा इस बात की सफाई भी नही की है। मैं समझता हूं जहां तक सम्पत्ति के अधिकार का प्रश्न है संविधान में जो संशोधन लाया गया है, जिस को पार्लियामेंट ने पास कर दिया है, उस से समस्या का हल बहुत हद तक हो जाता है और आगे भी कुछ संशोधन लाये जा सकते है। इस में सम्पत्ति के अधिकार को बुनियादी अधिकार न मान कर उस को समाप्त करने की बात की जानी चाहिये। जहां तक दूसरे प्रश्न का सवाल है वहां पर भी यह संशोधन लागू होगा, इस बात की व्याख्या नहीं की गई है। वैसे ही आज तक इस बात पर एक गलत नोशन के जरिये पूंजीवादी समाज गाइड होता है, वह इस तरह से कि ज्यूडिशरी बिलकुल पवित्र है, जब लोग तमाम आलोचनाओं से ऊपर हैं। वे ऐसे लोग हैं जिन पर आलोचना का प्रश्न नहीं उठता, परन्तु स्थिति यह है चाहे अमरीका हो, इंग्लैंड हो या हिन्दुस्तान हो, जज लोग भी अपने क्लास करेक्टर से ऊपर नही होते हैं। उन के जजमेंटस जो होते हैं वह, उन का जो दृष्टिकोण बना होता है, जो चरित्र बना होता है, उस से लगातार प्रभावित होते हैं। तो होता क्या है, इस का हल क्या है? इस को आप को सोचना चाहिए कि जब आप ने अपने देश में समाजवादी लक्ष्य की घोषणा की है, तो समाजवादी मुल्कों में जजमेंट कैसे होता है, जजों की नियुक्ति कैसे होती है, क्या फैसले होते हैं, ऐसे विवाद खड़े

[श्री कमल मिश्र मधुकर]

होते हैं या नहीं होते है, इन बातों का भी हवाला देना चाहिए था। अब उन्होंने नहीं दिया। मालूम पड़ता है कि आज उन के लिए आदर्श अमरिका, इग्लैंड आदि देश ही रहे गये हैं और इन्ही के जूडिशियल सिस्टम पर पेबेन्द लगाने की कोशिश की गई है। इन बातो की तरफ इन्होंने ध्यान नहीं दिया है। मैं चाहूंगा कि स्टीफन साहब इस प्रश्न को हल करें कि समाजवादी अर्थ-व्यवस्था के अन्दर, समाजवादी संविधान के अन्दर जब ऐसे विवाद खड़े होते हैं तो उन का निरूपण कैसे किया जाता है। मैं समझता हू कि अगर वे इस से शिक्षा लेंगे तो फिर ऐसा बिल लाने की जरूरत न पड़ती क्योंकि यह एक काम्प्रीहैसिव चीज है और इस मे पेबन्द लगाने से काम चलने वाला नही है। काम्प्रीहैसिव दृष्टिकोण से वे इन तमाम चीजो को देखें। इस लिहाज से संविधान के समझने में उन से भूल हुई है। बात यह है कि अगर ऐसा विवाद खडा होता है तो वह इसलिए होता है कि यह सुप्रीम कोर्ट के जज या हाई कोर्ट के जज अपने दृष्टिकोण को या आउटलुक को भूले नहीं है। अगर वे इन को देखते तो यह समस्या आप से आप सुलझ जाती। आवश्यकता इस बात की है कि आज जूडिशियरी मे आने वाले लोगो की, नये केडर की नियुक्ति कैसे की जाए, उन्हे कैसे बदला जाए। इन मे श्रम के महत्व को समझने वाले लोगो को लिया जाए। अगर ऐसा होगा तो ऐसे विवाद खड़े नहीं होगे। इसलिए यह जरूरी है कि यह जो आप ने संशोधन रखा है, तो संशोधन लाने मे आप को ध्यान देना चाहिए कि आप के राष्ट्र का सामाजिक लक्ष्य क्या है, आप को ध्यान रखना चाहिए कि उस लक्ष्य की पूर्ति की दिशा मे कैसे जूडिशियेरी को ठीक किया जा सकता है, उस की रचना कैसे कर सकते हैं, जजो की नियुक्ति कैसे कर सकते है, उन के कैरेक्टर को कैसे बदल सकते है। इन समस्याओ को हल करने की दिशा में अगर आप संशोधन लाते तो स्वाभाविक था कि इस के जरिये से यह समस्या भी हल हो सकती थी। आप ने इस बात का विचार नहीं किया है कि पूजीवादी कास्टीट्यूशन के अन्दर कुछ कठिनाइया पैदा होती है और जो पेबन्द लगाये जाते है उन से फिर वही समस्याएं पैदा होती है। इसलिए जिस उद्देश्य की पूर्ति के लिए यह सशोधन लाया गया है उस ध्येय की पूर्ति इस से नही हो रही है और इस वास्ते हम को इसे मानने मे कठिनाई है यद्यपि आप की नियत ठीक है और वह प्रशसनीय है और मैं उस की तारीफ करता हू। लेकिन मेरा कहना है कि आप की जो नियत है, उस की पूर्ति के लिए जो सशोधन लाया गया है, वह जहा तक मै समझ पाया हू, उस को पूरा नही करता है। मैं कोई सविधान का पडित नहीं हू लेकिन जो कुछ मे समझ पाया हू और जो मैंने सशोधन का पढ़ा है उस मे जो आप का जूरिस्ट्स का सुझाव है वह मेल नही खाता है और उस से उस उद्देश्य की पूर्ति नही होती है। इसलिए इस बिल को नहीं मानना चाहिए।

श्री राम रतन शर्मा (बादा) सभापति जी, यह कान्स्टीट्यूशन एमडमट बिल नं० 94 आफ 1971 जो लाया गया है इस के बारे मे मैं कुछ रचनात्मक सुझाव प्रस्तुत करना चाहता हू। इस एमेंडमेंट के सेक्शन 1 मे कुछ डेफिनीशन्स हैं लेकिन सेक्शन 2 जो है उस मे आर्टिकल 141 आफ दि कास्टीट्यूशन में स्टेफिन साहब एक प्रोवीजो जोडना चाहते है। प्रोवीजो इस प्रकार है :

> "Porvided that it shall not be binding on the Constitution Bench of the Supreme Court which may be constituted from time to time under articles 143A and 145A".

मेरा कहना यह है कि आर्टिकिल 141 जो है वह अपने मे बिल्कुल साफ है और इस से स्टेफिन साहब का कोई मतलब हल नही होता है।

"The law declared by the Supeme Court shall be binding on all courts within the territory of India".

'कोर्ट्स' से यहां मतलब 'कोर्ट्स सबोर्डिनेट टू दि सुप्रीम कोर्ट' से है। आप भी यही सेविंग करना चाहते हैं कि कांस्टीट्यूशनल कोर्ट की जो बेंच होगी उस के निर्णय की सेविंग इस मे होनी चाहिए लेकिन क्योंकि सुप्रीम कोर्ट के जजमेट की सेविंग इस मे है, इसलिए सुप्रीम कोर्ट की कांस्टीट्यूशन बेंच की सेविंग की आवश्यता नही है। सुप्रीम कोर्ट अपने जजमेट को फिर से देख सकता है और अगर मामला रेफर होता है तो उस जजमेट के खिलाफ डिसिजन दे सकती है। यह आज तक की पद्धति चली आई है। इसलिए मेरा विचार है कि यह सब क्लाज व्यर्थ है और इस की कोई उपयोगिता इस एमेडमेंट के अन्तर्गत नही है। मेरा अध्ययन य है कि इस को ध्यान मे नही पढा गया है। इसलिए यह प्रोवीजा इस आर्टिकल के अन्दर जोडा गया है। अभी मेरे लायक दोस्त जब इस बिल की आलोचना कर रहे थे तो उन सारी बातो को उन्होंने कहा है, समाजवाद के बारे मे कहा है लेकिन क्योंकि यह एक कास्टीट्यूएनेलिटी का मेटर है, मैं उन सब बातो मे नहीं जाना चाहता हू।

आप ने इस म एक मजोरिटी की बात कही है कि दो-तिहाई मेजोरिटी होनी चाहिए। इस के लिए उन्होने कहा कि बेंच को कास्टीट्यूट करने के लिए पाच जज जो अभी होते है तो कम से कम 9 जज होने चाहिए। अगर दो-तिहाई का बहुमत नही होता है तब क्या जजमेंट नही होगा ? तब क्या वह नही होना चाहिए ? इस बात को जब कास्टीट्यूशन बनाया गया था तो अच्छी तरह से मसा गया था और यह बताया गया कि बहुमत एक जज का काफी है। अगर 9 जज आप बनवा देंगे तो 9 में से 5 डिसाइड करते हैं तो यह बायड है और अगर बायड है तो इस के बाद क्या फिर कांस्टीट्यूशन बेंच कास्टीट्यूट होगी और अगर वह पाती है कि नहीं तो इस को ठीक से नहीं देखा गया है और वह निर्णय अगर कानून के खिलाफ जाय तो उस को फिर देख सकती है और इस के खिलाफ फैसला दे सकती है। इस लिए जजों की संख्या बढाना ठीक नहीं। आज आप 9 कहते हैं कल को किसी की खिदमे आता है कि नही 11 होने चाहिए और फिर 15 की बात कही जाएगी और फिर 25 की बात कही जाएगी। इसलिए जो एगजिस्टिंग प्रोवीजन्स है कांस्टट्यूशन मे उन्हीं को रहना चाहिए और मैं इस से सहमत नही हूं कि कास्टीट्टीयूशन बेंच के लिए सख्या 9 या 11 कर दी जाए क्योंकि इस से कोई परपस हल होनेवाला नही है। इस मे यह लिखा है:

'No judgment shall be delivered by the Constitution Bench of the Supreme Court adjudging any law as constitutionally void save with the concurrence of two thirds of the judges present .."

इस मे हो सकता है कि मेरा कहना गलत हो या फिर स्टीफन साहब का सोचना गलत है, कि सुप्रीम कोर्ट का जजमेट या किसी भी कोर्ट का जजमेट ला माना जाता है। उस को अलग से कास्टीट्यूशनल सेंक्टिटी देना और उस के लिए अलग से प्रोवीजन करना, मेरी समझ में उचित नही है। इस तरह से इस इनेक्टमेंट को देखते हुए और इस का अच्छी तरह से अध्ययन करने से कुछ ऐसा लगता है कि इस संविधान मे यह जो इन का एमेडमेंट है, यह कोई चीज जोड़ नही रहा है, जो चीजें संविधान मे हैं, उन्ही को यह जरा स्पष्ट कर रहा है और इस तरह के प्रोवीजन्स वहा पर एगजिस्ट करते है। और उनको घुमा फिराकर दूसरी तरह से कह रहे है। अगर वास्तव मे वह को चीज चाहते है, कोई अच्छी बात संविधान में जोड़ना चाहते हैं, जनता को फायदा पहुंचाना चाहते हैं तो श्री स्टिफंज को चाहिये कि कोई कम्प्रिहेंसिव बिल इस तरह का लाएं जिसमें जो प्राविजंज संविधान की हो उनको या तो एक तरफ करें या फिर

[श्री राम रतन शर्मा]

एक बिल्कुल नई चीज़ लाएं ताकि जनहित हो। मैं समझता हूं कि इस एमेंडमेंट में कोई नई चीज नहीं है जो संविधान में न हो और संविधान में वह कोई एमेंडमेंट भी नहीं करना चाहते। कोई चीज़ जोड़ना चाहते हैं। इसलिए मैं इस एमेंडमेंट का समर्थन नहीं करता।

SHRI DINESH JOARDER (Malda): Mr. Chairman, Sir, this Bill has been introduced by C. M. Stephen, and in his earlier speech a few days ago, he himself stated that since the Constitution (24th Amendment) Bill has been passed and adopted by this Parliament the main purpose of introducing this Bill has been served. Even then, there are some other provisions in this Bill wherein the functioning of the Supreme Court aud in certain cases the High Courts has been dealt with or taken into consideration. This Bill envisages that from time to time a constitution Bench should be formed to dispose of new cases or some matters wherein the Constitutional laws are involved or fundamental rights are involved. This Constitution Bench should be formed according to certain procedure as have been laid down in this Bill. But even before accepting the provisions of this Bill, the Supreme Court has already been forming Constitution Benches from time to time for disposing of such matters; particularly in the Golaknath case, a Constitution Bench was formed to dispose of that matter, and therefore it is needless that a particular provision should be made for forming a Constitution Bench to dispose of such matters.

Secondly, in clauses 3 and 4 of the Bill, seeking amendments to article 143A and article 145A respectively, the President and not Parliament has been given the power to interfere in the judgments passed by the Supreme Court and the high courts. In the Constitution (24th Amendment) Bill, it has been once again re-established that Parliament is the supreme law-making body and it can amend the Constitution in whatever manner it likes. The supremacy of Parliament has been re-established by the Constitution (24th Amendment) Bill, but in this Bill the President has been given the power to interfere in the judgments passed by the Supreme Court or the high courts from time to time as he would think it necessary.

Again, by clause 5 of the Bill, article 226A is sought to be inserted in the Constitution by which the independence of the high courts in the matter of dealing with fundemental rights or declaring them as void in law as contravening the fundamental rights of the citizens is interfered with. That has also been curtailed and impaired. According to this Bill the High Court shall have to refer such matters to the Supreme Court, which in turn will constitute a Bench and unless the decision is arrived at by two-third majority the decision of the High Court shall have no effect. That means that the independen t character of the High Court in dealing with Fundamental Rights has been curtailed.

Again, according to this Bill the Constitution Bench should decide the matter by two-thirds majority where the validity of the law under article 13 is involved. If this Bill is passed, a lot of complications will arise. For instance, a judgment given by a simple majority of the Constitution Bench on a Bill shall have no effect; the simple majority opinion of the judges will have no value.

What do we see in practice In our country ? Laws are passed by simple majorities in Parliament or State Assemblies. Election result are decided by simple majority. Every political decision is taken by simple majority. Hence the provision for two-thirds majority made in this Bill is self-contradictory. According to article 141 (a) the decision of the Supreme Court on a law passed by Parliament shall be binding on all concerned. It appears that this Bill wants to place the Constitution Bench of the Supreme Court above the Supreme Court itself.

Apart from controlling the functions and powers of the Supreme Court or High Court, there are laws already passed. There are laws regulating the fate of our toiling masses, agrarian laws, labour laws and similar laws that are already passed by Parliament and State Assemblies. They have not yet been given effect to seriously and sincerely. There is the struggle of the millions of peasants. The workers are being suppressed by the ruling party. It is necessary that those laws should be given effect to, and the Ninth Schedule along with article

31B should be amended, instead of controlling the powers and functions of the Supreme Court and the High Courts. So, I would humbly suggest to the mover of the Bill that he should not press it at the moment.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY): On 27th February, 1967, the Supreme Court decided the case popularly known as the Golaknath case. How that decision agitated the mind of the people of this country is proved by this Bill. The Mover of the Bill has said that it is that decision which prompted him to bring forward this Bill. The affect of the decision has been nullified by the Twentyfourth Constitution Amendment Bill, and I had hoped that since that is now on the statute-book and the Twentyfifth Constitution Amendment Bill has also been passed, the Mover would allow this to lapse, but surprisingly he has persisted in moving it and has given reasons for doing the same. I will try to reply to the points raised by him.

By Clause 2 he wants to add a proviso to article 141. He has admitted that he is only trying to make a re-statement of the present position. After this admission, I think he would agree that no such re-statement is necessary. The present position is very clear, and we need not try to complicate it by adding certain things which may subsequently be taken up for interpretation and so many things may be said about it.

By Clause 3 he wants to add article 143A, and by Clause 5 he wants to add article 226A. In the Statement of Objects and Reasons he says :

> "...the President is to remain a helpless spectator even when he feels that a wrong judicial interpretation vitiates the constitutional law. He should be empowered to initiate steps to settle the question at the highest level."

To achieve this he wants these two articles. In his speech he has given some material to the Government to think abot, but I think he has also heard the views of other Members of the House and he would agree that presently if we accept the position, things would be complicated and we would be unnecessarily creating difficulties.

I would also in this connection draw his attention to article 132 of the Constitution under which any party who goes to a High Court has the right to go to the Supreme Court by moving the High Court for leave to appeal, and if that leave is refused, by moving the Supreme Court for special leave. With that provision there, I think it should not be necessary for us to have these two articles 143A and 228A.

Regarding article 145A, he seeks two things—one, that the Benches that are constituted in the Supreme Court by the Chief Justice should be constituted in consultation with the President of India, and secondly that the decisions of these Benches when they refer to constitutional matters, should be made binding only if they are given by a two-thirds mojority. The Government feels that the President should be kept away from this, that he should not be brought in, and he should not be made to give his advice to the Chief Justice on the constitution of Benches. It should be left to the Chief Justice to constitute the Benches. About the number of Judges, though the minimum is fixed as five, there have been cases like the bank nationalisation case and the Privy purses case in which even 11 Judges have sat. So, the number of judges varies according to the importance of the matter. I think the main purpose of raising the number of juddes to 9 is met by the present provisions also.

Then, he said, under article 368, when Parliament wants to amend the Constitution two-thirds majority is needed and on the same analogy, he wants that it should be made obligatory that for a judgment of the Supreme Court to be binding, it should have a two—thirds majority. But I would request him to refer to the judicial system thourghout the world, where only a majority decision is accepted as binding. If we accept his suggestion, I think we would be doing something which would be extraordinary. However, he has given substantial material for the Government to think over. My other friends who have spoken have given substantial material for the mover to

[Shri Nitiraj Singh Chaudhary]

think over. I hope after having heard the other hon. members, the mover would not press his Bill and would withdraw it.

SHRI C. M. STEPHEN : Sir, it goes without saying that I will withdraw the Bill. My only purpose was to meet the particular need of a particular hour. As pointed out by the minister, the Golaknath case stimulated certain thoughts and pinpointed certain dangers in the present arrangement and therefore, a corrective was necessary. I am still of the view that a corrective is necessary, but I am satisfied with the minister's statement that this has given substance for him to think over.

With regard to the contentions raised by my friends on the other side, I do not want to reply in detail. Most of their statements arose out of a misconception of the purpose of the Bill. To bring in politics into this is absolutely misplaced. The only purpose was to guard that the judiciary functions in a particular manner so that contradictions and stalemates may not arise, which will hold up the progress. That argument was not really met and the purpose was not really understood. I may tell the minister that the statements made by my friends on the other side were only for the purpose of contradicting what I said and have not offered any substance for me to think about. But I am satisfied with the minister's statement that this has given substance for him to think over.

With these words, I withdraw the Bill.

MR. CHAIRMAN : The question is :

"That leave be granted to withdraw the Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI C. M. STEPHEN : I withdraw the Bill.

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16.29 hrs.

## INDIAN PENAL CODE (AMENDMENT) BILL

*(Substitution of section 153 A)* by Shrimati Subhadra Joshi.

MR. CHAIRMAN : Shrimati Subhadra Joshi.

श्री जगन्नाथ राव जोशी (शाजापुर) : सभापति महोदय, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूं। आज तक इंडियन पीनल कोड के सैक्शन 153 की व्यवस्थायें व्यक्ति से सम्बन्ध रखती हैं और माननीय सदस्या इस विधेयक के उद्देश्यों में कहती हैं कि इस सैक्शन के दायरे में संगठनों और संस्थाओं को भी लाया जाये। इस विधेयक के उद्देश्यों में स्पष्ट किया गया है : "दि क्रिमिनल ला हैव टु बि सूटेबली रमेंडिड टु ब्रिंग विदिन दि परव्यू आफ् दि ला सच एसोसियेशन्ज् एंड आर्गनाइज़ेशन्ज्।" किन्तु यदि आप विधेयक को देखें, तो यह व्यक्तियों पर ही लागू होगा, इसमें संगठनों और संस्थाओं का कोई उल्लेख नहीं है। इसमें सजा का यह प्रावधान किया गया है : "शैल वि पनिश्ड विद इमप्रिज़नमेंट विच मे एक्सटेंड टु थ्री यीअर्ज़ आर विद फाइन आर विद बोथ।" इसमें संगठनों और संस्थाओं को सजा देने का प्रश्न नहीं है।

सभापति महोदय : पहले माननीय सदस्या को मूव तो करने दीजिए।

श्री जगन्नाथ राव जोशी : सभापति महोदय, इसमें जल्दबाजी करने की जरूरत नहीं है। चूंकि यह बिल दोषपूर्ण है, इसीलिए मैंने यह व्यवस्था का प्रश्न उठाया है।

SHRI R. S. PANDEY (Rajnandgaon) : Until the Bill is introduced and is before the House no point of order can arise.

SHRI N. K. P. SALVE (Betul) The Bill has already been introduced. Now it is being taken up for consideration. But until Shrimati Subhadra Joshi is heard no point of order can arise. मेरा एक निवेदन है। अगर जोशी जी ने कानून ठीक से पढ़ा होता तो यह चीज उन्होंने

समझ ली होती कि यह जो प्रावधान है इस सैक्शन के तहत वह क्लास कान्फ्लिक्ट को बचाने के लिए ही लाया गया है। हरिसिंह गौर अपनी कमेंट्री में कहते हैं, हरि सिंह गौर की एथारिटी तो वह मान लेंगे आसानी से, वह यह कहते हैं :

"In terms of section 158 the object of the section is to prevent the various classes from coming into conflict by mutual abuse and recrimination."

Our intention and purpose is merely to extend the gamut and scope of the section as it stands now. The section itself is meant to take care of certain classes who might get involved in certain conflicts. Now how conflicts should be avoided is a matter of debate. Therefore, there is nothing wrong in what is stated in the Statement of objects and Reasons.

SHRI JAGANNATHRAO JOSHI: I am not objecting to the objects. The hon. Member is unnecessarily confusing the issue. The objects of the Bill are specific. But the hon. Member would like to bring under the purview of this section of the Indian Penal Code even organisations and institutions.

सभापति महोदय : देखिए, जोशी जी, पहले तो वह मोशन फार कंसिडरेशन मूव करेंगी, उसके बाद ही कोई चीज उठाई जा सकती है।

श्री जगन्नाथ राव जोशी : बिल ही जब दोषपूर्ण है. . .

सभापति महोदय : वह कुछ भी हो, पहले मूव कर लेने दीजिए।

PROF. MADHU DANDAVATE (Rajapur) : Sir, I want to rise a point of procedure. I am not opposing the Bill; in fact, I am supporting it. But I want your guidance on a particular point of procedure.

MR. CHAIRMAN : The hon. Member has not yet moved the Bill for consideration.

PROF. MADHU DANDAVATE: My point has nothing to do with the present Bill under discussion. A number of non-official Bills have already been moved. Some Members suggest or insist that their Bill should be put in Category A, if they feel that the subject matter of the Bill is important. I am very happy that this Bill has been given category A, because it is a very important Bill. But in the very first session of the Fifth Lok Sabha I introduced a Bill, which seeks to restore to Parliament its srpremacy and sovereignty. Although it is a very important Bill on which a national debate is going on and although I have requested the Committee to give it Category A, that request has not yet been conceded. Sir, I want your guidance on this.

MR. CHAIRMAN : Until Shrimati Joshi has moved her Bill for consideration no point can arise.

PROf. MADHU MDANDAVATE : I am not raising any point on that Bill. I am raising a point of procedure and I am seeking your guidance as I am a new member.

MR. CHAIRMAN: No point would arise until that Bill is moved for consideration.

श्रीमती सुभद्रा जोशी (चांदनी चौक) : सभापति महोदय, मैं आपकी आज्ञा चाहती हूं कि भारतीय दंड संहिता संशोधन विधेयक, 1972 को सदन के सामने विचार के लिए प्रस्तुत करूं। जो अभी तक हमारे यहां कानून है, मालूम ऐसा होता है कि वह व्यक्तियों पर तो लागू होता है पर ऐसे समुदाय और ऐसी साम्प्रदायिक संस्थाएं जो देश में साम्प्रदायिकता फैलाती हैं, आपस में घृणा फैलाती हैं उन पर नहीं लागू होता। यह बात ठीक है कि जो व्यक्ति फैलाते हैं....

श्री हुकम चन्द कछवाय (मुरेना) : वह बिल पेश कर रही हैं या भाषण दे रही हैं ? बिना पेश किए भाषण चालू है।

[श्रीमती सुभद्रा जोशी]

सभापति महोदय : पहले प्रस्ताव पेश कर दीजिए, तब भाषण कीजिए।

श्रीमती सुभद्रा जोशी : मैंने पहले ही कहा कि आपकी इजाजत चाहती हूं कि यह जो बिल है भारतीय दण्ड संहिता संशोधन विधेयक 1972 वह सदन के सामने विचार के लिए प्रस्तुत करूं।

**16.35 hrs.**

[SHRI R. D. BHANDARE *in the Chair*]

सभापति महोदय, जो अभी तक पीनल कोड है उसमें जो लोग घृणा फैलाते है और आपस में झगड़े करवाते हैं, नफरत फैलाते है उनके प्रति तो यह कानून लग जाता है पर हमारे देश में ऐसे बहुत से मंच है, बहुत सी संस्थाएं हैं, बहुत से सेक्शंस हैं जो सामूहिक रूप से देश में घृणा फैलाते है। मुझको मालूम हुआ कि कानून मे कमी है और वह उसके अन्तर्गत नहीं आ रहे है। मैंने वह बिल इसलिए आज पेश किया है सदन के सामने कि जब यह पास हो जाय तो ऐसे समुदाय, ऐसे समूह और ऐसे सम्प्रदाय जो देश के अन्दर घृणा फैलाते हैं और देश की एकता को भंग करते है वह भी इस कानून के अन्तर्गत आ जायं। अभी कुछ सदस्यों ने कहा था कि इसमे समुदाय नहीं आएं गे। अगर देखा जाएगा कि कोई कमी रह गई है तो मैं इस बात का स्वागत करूंगी, वह अमेंडमेंट करके उन संस्थाओं को भी उसमें अच्छी तरह से ला सकें तो उसमें मुझे कोई एतराज नहीं होगा।

सभपति महोदय, यह बहुत कहने की आवश्यकता नहीं हैं कि हमारे देत में साम्प्रदायिकता कितना नुकसान कर रही हैं। हमारीं तमाम जो आस्था है विश्वास है समाजवाद में, लोकतंत्र में, वह सब झूठ मूठ का रह जाता है जब हम इस बात की इजाजत देते हैं कि देश के अन्दर ऐसी संस्थाएं और ऐसे लोग नफरत फैला कर देश में साम्प्रदायिकता फैलाएं। चाहे वह धर्म के नाम पर हो, चाहे जाति के नाम पर हो, चाहे वह भाषा के नाम पर हो चाहे किसी रीजन के नाम पर हो जो देश के लोगों में घृणा फैलाएं उन के लिए मेरा ऐसा ख्याल है कि कानून बनना चाहिए क्यों कि ऐसी विच र-धारा हमारे समाज को, हमारे देश को, सही सोचने की लाइन से बिलकुल उतार देती है और कहां का रुख कहा कर देती है। जब जब हम तरक्की करने की किशिश करते है तब तब ये लोग घृणा फैला कर घृणा का वातावरण पैदा कर देते हैं और जो काम हम करना चाहते है वह काम हम कर कर नही सकते।

मैं सदन के सदस्यो का ध्यान आकर्षित करना चाहती हूं, आप को याद होगा कि जब बैंको का राष्ट्रीयकरण हुआ तो सारे देश मे एक जोश की लहर दौड पड़ी। देश के हाजारो नवयुवक इस बात के लिए तैयार हो गए। उन को विश्वास हो गया कि हमारी आर्थिक हालत में कोई परिवर्त्तन होने होने वाला है। देश की गरीब जनता उठ कर खडी होगई जिस का कि सरमायेदार लोगों ने मजाक भी उडाया और कहा कि रिक्शा पुलर और पत्थर तोड़ने वाले क्या जनते हैं समाजवाद को जो प्रधान मंत्री को को मुबारकबाद देने जा रहे है? पर देखा लोगों ने कि कितना जोश फैला, सब लोगों को विश्वास हुआ कि अब सरकार उस तरफ चलने वाली है जिस तरफ चल कर हमारी जिन्दगी में कोई परिवर्त्तन हो सकता है। जब इतना जोश था आवश्यकता इस बात की थी हम उस तरफ तेजी से चलते और तेजी से कदम उठाते। तभी हम लोगों ने देखा कि एक तरफ तो यह बात थी, दूसरी तरफ अहमदाबाद में दंगा हुआ, भिवंड़ी में दंग। हुआ, जलगांव में दंगा हुआ। तो जिस वक्त देश के लोग अपने आर्थिक सवालों के बारे में सोचने लगे उस वक्त इन संस्थाओं ने ऐसा वातावरण बना दिया कि कोई हिन्दुओं

की गिनती कर रहा है, कोई मुसलमानों की गिनती कर रहा है कोई मस्जिद के लिए रो रहा है, कोई मन्दिर के लिए रो रहा है तो यह हमारे सोचने के तरीके में और काम करने के तरीके में एक बाधा खड़ी करता है।

हम लोगों ने देखा—चाहे रांची हो, रूरकेला हो, कलकत्ता हो टाटा नगर हो, जहां पर हमारे बुनियादी उत्पादन के कारखाने हैं जहां पर बड़े बड़े स्टील प्लांट्स है, वह, वहा पर भी वातावरण बिगाड कर, घृणा फैला कर इन संस्थाओ ने दगा करवा दिया। इन दंगो के होने से, सभापति महोदय, हमारे उन कारखानों का उत्पादन रुक जाता है, इतना ही नही कि दगों के दिनो मे रुकता हो, उस के बाद कई साल तक उन कामों से हम पिछड जाते है। वैसे तो कारखानो मे हडतालें होती है, हडतालो से भी नुकसान होता है, लेकिन हडतालो मे कम से कम उतने दिन नुकसान होता है, जितने दिन हडताल चलती है, लेकिन जो फिरकेवाराना दगे होते होते है, उस के बाद वे कारखाने बरसो उठ नही सकते और यही नही कि उन कारखानो का नुकसान होता है, बल्कि उन कारखानो के माल मे जो दूसरे कारखानो चलते हैं उन को माल नही मिल पाता जिस से वे कारखाने भी बन्द हो जाते है।

चाहे कितनी ही अच्छी नीयत हो, कितना ही अच्छा स्लागन हो, कितनी अच्छी पालिसी हो, हम देखते यह है कि ये फिरकेवाराना फिसाद-कराने वाले लोग, घृणा फैलानेवाले लोग हमारे नक्शे को ही खराब कर देते हैं, हमारा काम तबाह हो जाता है, इस लिये यह आवश्यक हैं कि जहा हमारा जम्हूरियत मे विश्वास हो, समाजवाद मे विश्वास हो, वहां इस बात की आवश्यकता भी है कि देश के लोग एक होकर आगे बढें, एकता भी हमारे लिये उतनी ही आवश्यक है। देश के लोग मिलकर-इस का कोई भी मजहब हो धर्म हो, बिरादरी हो, रिवाज हों, कोई भी भाषा बोलनेवाले हों, आवश्यकता इस बात की है कि हम बैठ कर सोचें कि हमारा देश कैसे तरक्की करेगा, हमारा उत्पादन कैसे बढ़ेगा, हमारे देश में गरीब और अमीर का फर्क कैसे कम होगा। लेकिन इस वक्त जो कम्यूनल-वायलेंस फैलाने-वाले लोग है या फिरकापरस्ती फैलानेवाले लोग है ये हमारे सोचने के तरीके मे ऐसा फर्क डालने की कोशिश करते है कि हर वक्त इस बात पर चिन्ता होती है कि नौकरी मे हिन्दू ज्यादा है, मुसलमान कम है, किस को नौकरी मिलनी चाहिये, किस की पढ़ाई होनी चाहिये, किस गली की सफाई होनी चाहिये, किस की नही होनी चाहिये, हर वक्त ऐसा नक्शा पैदा कर देते है, ऐसे विचार पैदा कर देते है कि हम लोग किसी और काम में लग जाते हैं और जो हमारा समाजवाद की तरफ बढ़ने का तरीका है, हम जो समाजवाद मे विश्वास करते है, हम मजदूरो के सगठन बनाते है, चाहे वह कारखाना हो, चाहे शहर हो, देश हो—हम कहते हैं कि दुनिया के मजदूरो एक हो जाओ सरमायेदारी का मुकाबला करने के लिये—वही ये घृणा फैलानेवाले लोग, घृणा फैलानेवाली सस्थायें, ऐसा वातावरण तैयार करती हैं कि एक मजदूर दूसरे मजदूर की झोपड़ी को आग लगाने के लिये चल पड़ता है। कोई भी तरीका जिसे हम समाजवाद की तरफ आगे बढ़ने के लिये अपनाते है, ये लोग हर जगह उस मे रुकावट डालते है, न हम को सोचने देते है और न उस तरफ काम करने देते हैं।

ऐसे लोगो का देश के बनाने मे क्या कन्ट्रीब्यूशन है? देश की तरक्की मे उन का क्या योगदान है? नफरत फैला कर ऐसी हवा बनाते हैं कि करोड़ों लोग दिल थाम कर बैठ रहते है और वह सोचते है कि हमारे लिये समाजवाद के क्या मायने हैं, हमारे लिये तरक्की के क्या मायने है, हमारे लिये उत्पादन के क्या मायने हैं जब कि हमारे यहां रहने पर, हमारे हिन्दोस्तान का नागरिक होने पर भी सन्देह

[श्रीमती सुभद्रा जोशी]

प्रकट किया जाता है। हमारे देश का एक बहुत बड़ा सैक्शन, चाहे वह कोई भी हो वह देश की तरक्की में जो अपना लाभदायक कन्ट्रीब्यूशन कर सकता है, वह कन्ट्रीब्यूशन कर नहीं पाता है। ऐसे लोगों को हम देश में अपंग कर के रख देते है ये लोग हमारे सोचने के तरीके को बदल देते हैं, हमारी जो कद्रें है, वेल्यूज़ हैं, उन को भी बदल देते हैं।

सभापति जी, अगर हमारे दिल में किसी के प्रति कोई खराब विचार आते हैं, किसी के प्रति कोई नफरत या बदले की भावना आती है, तो हमारी कोशिश यही होती है कि वह हमारे मित्रों के सामने भी प्रकट न हो, लेकिन ये साम्प्रदायिक जमायतें ऐसी हवा देश मे फैलाती हैं कि हमारा सोचने का तरीका बिलकुल बदल जाता है। स्टेजज़ पर, पब्लिक मीटिंग्ज़ में एलान करते है कि फलां बात हुई है, हम उस का बदला लेकर रहेंगे। किसी ने एक मारा है तो हम 20 को मारेंगे, किसी ने एक बहन का अपमान किया है तो हम 20 का अपमान करेंगे—यह कुत्सित भावना जो इन्सान में इन्सानियत के नाते दबा दी जानी चाहिये, ये लोग उन को उकसाते है, स्टेज पर उस को ला कर उभारते है जिस से समाज की हानि होती है।

इन का सोचने का तरीका, सभापति महोदय, इतना गलत है कि जो बड़े बड़े ऐतिहासिक काम होते है, जिन को दुनिया मानती है, ये उस को दबा देते हैं, उस पर भी हम ठीक से सोचने नही देते हैं। आप जानते है,—बंगला देश का बन जाना कितना बड़ा ऐतिहासिक काम है, सिर्फ हमारे देश के लिये नहीं, सारी दुनिया के सामने एक बहुत बड़ी चीज़ हो गई है। हमारे देश का उस मे कितना कन्ट्रीब्यूशन था, उसे आज दोहराने की आवश्यकता नही है। किस तरह से हमारे देश के लोगों ने धन दे, चाहे अपने पेट पर पट्टी बांधनी पड़ी हो, किस तरह से एक करोड़ लोगों को जो शरणार्थी हो कर आये थे, उन की परवरिश की। यह भी दोहराने की आवश्यकता नहीं है कि हमारी सेनाओं ने वहां जा कर किस तरह से मदद की, बंगला देश को स्थापित कराया, वहां की पीड़ित जनता की किस तरह से रक्षा की, लेकिन जो आज बंगला देश की जीत हुई है, यह हमारी धर्मनिर्पेक्षता की जीत है, सैक्युलर आइडियाज़ की जीत है। हमारी सरकार ने बंगला देश के लोगों के साथ मिल कर जो बंगाल देश बनाया, उस का बनना ही धर्म-निर्पेक्षता की जीत है। लेकिन आज मैंने सुना कि जनसंघ के नेता श्री अटल बिहारी वाजपेयी ने इस बात पर भी नाराज़गी प्रकट की है। यह एक कुदरती बात है—क्योंकि बंगला देश का बनना तमाम साम्प्रदायिक लोगो के लिये, साम्प्रदायिक जमायतो के लिये उन की हार हो गई। इस लिये हार से परेशान हो कर ..(व्यवधान)..

श्री जगन्नाथ राव जोशी. इस तरह से भारत को बदनाम क्यो कर रहे हैं। हम तो शुरू से ही बंगला देश को सान्यता की हिमायत करते रहे है, अब हमारा नाम लेकर इस तरह से हम को बदनाम क्यों किया जा रहा है ...(व्यवधान)...

श्री शशि भूषण (दक्षिण दिल्ली) : ये अमरीकी इशारे पर झगड़ा कराने के कार्य करते हैं ... इन्होंने देश को गुमराह किया, दो बार हारे फिर भी शर्म नहीं आती है।

श्री हुकम चन्द कछवाय: आपने किया।

SHRI JAGANNATHRAO JOSHI: Why should she malign this country, Sir, for nothing? Is there any relevance? Do you allow this? It was our own leader who congratulated our Prime Minister when recognition was given. In spite of that, why should she malign us for nothing?

क्या दुनिया के सामने हम ऐसी तस्वीर खींचें कि बंगला देश की जीत होने से भारत में कोई ऐसा दल था जिस को आनन्द नहीं हुआ। तुम्हारे और हमारे मार्ग अलग है लेकिन दुनिया के सामने भारत को बदनाम क्यों करें।

श्री शम्भू नाथ (सैदपुर): मैं जोशी जी से एक बात पूछना चाहता हूं—बंगला देश के कायम होने से संयुलरिज्म की जीत हुई या नहीं हुई ? आप इस बात को बतला दें—आप इस को मानते है या नहीं मानते है ?

श्री जगन्नाथ राव जोशी : हम ने उसे का विरोध कभी किया ही नहीं। हम शुरू से ही यह कहते आये हे कि उस को मान्यता दो।

श्री शम्भू नाथ यह सवाल सिद्धान्त का है।

श्री जगन्नाथ राव जोशी . यह विधेयक घृणा फैलाने के खिलाफ है, स्वयं माननीय सदस्या घृणा फैला रही हैं, इस का क्या मतलब है ? क्या यह विधेयक इसी बात के लिये है कि जान बूझ कर घृणा फैलाई जाय ?

Absolutely baseless allegations, we are not here to stomach these

श्री शशि भूषण : यह इस डिबेट को अपने खिलाफ क्यों समझते है।

श्री जगन्नाथ राव जोशी : आप जनसघ का नाम लेकर बोल रहे हैं...(व्यवधान)...

It is on record that our leader Shri Atal Bihari Vajpayee was the first to congratulate the Prime Minister in this House on the recognition of Bangla Desh ?

MR. CHAIRMAN: If you want to express your views or take any objection, you can stand on a point of order. You can raise it.

SHRI JAGANNATHRAO JOSHI: I raised a point of order.

MR. CHAIRMAN: You have not. Just simply don't get up and say whatever you like. You have every right to raise the point but you have to follow the rules. You are a seniormost and experienced Member of the House.

SHRI S M. BANERJEE (Kanpur) : I am more senior to him, Sir.

MR. CHAIRMAN : Please ask your followers to keep quiet. Let them maintain silence.

श्री एस० एम० बनर्जी : मैं केवल एक गाइडेंस लेना चाहता हूं। जोशी जी ने अभी कहा है कि दुनिया के सामने जनसघ को बदनाम किया जा रहा है...

श्री जगन्नाथ राव जोशी : बंगला देश की जीत के बारे मे भारत को बदनाम किया जा रहा है। जनसघ को आप बदनाम करें, लेकिन देश को क्यो बदनाम कर रहे है ?

श्री एस० एम० बनर्जी : सारी दुनिया के सामने बदनाम नहीं कर रहे है, अपने घर में बदनाम कर रहे है।

श्रीमती सुभद्रा जोशी : सभापति महोदय, मैं इस बात का जिक्र कर रही थी कि राष्ट्रपति के भाषण पर बोलते हुए जनसंघ के नेता ने बंगला देश के सिलसिले में जिस तरह से अपने विचार प्रकट किये उस से ऐसा मालूम हुआ कि चाहे इन की जमायत मुजीबुर्रहमान के फोटो लेकर बंगला देश की मान्यता के लिए जलूस निकालती रही या सत्याग्रह करती रही, पर दरअसल मे उन की हमदर्दी बंगला देश के लोगों के साथ नहीं थी। यह अखण्ड भारत बनाने का जो नारा दिया करते थे, यह इस बात की खुशी मे रहे कि पाकिस्तान के टुकड़े हुए...

[श्रीमती सुभद्रा जोशी]

.....(व्यवधान)..... आप की इस जमायत के जो नेता हैं आज उन के भाषण से यह स्पष्ट हो गया व मान्यता को उस वक्त बात कर रहे थे, जब उन को ख्याल था कि शायद मान्यता देने से जंग जल्दी छिड़ जाय, युद्ध जल्दी हो जाय, उन की नियत इतनी साफ नहीं थी जितनी वह उस वक्त दिखाते थे।...(व्यवधान) —

श्री जगन्नाथ राव जोशी : अगर कोई मोटिव पर सस्पेक्ट करे तो इस का क्या मतलब है ? उन को फैक्ट्स के बेसिज पर बोलना चाहिए।

श्रीमती सुभद्रा जोशी . अभी जो चुनाव हुए उस के पहले यह जमायत कोशिश करती रही, कभी खिलाफ मे, कभी मदद मे, कभी समर्थन मे, अलग अलग भाषण देती रही, फिर भी जनता ने साम्प्रदायिक जमायतों को रिजेक्ट कर दिया और आज वे अपने सच्चे रूप मे हाउस के सामने प्रकट हुए ...(व्यवधान)...

MR. CHAIRMAN· Are we following a new method, a new procedure When she is on her legs, unless she yields or unless you have a point of order, you should not crehte noise or trouhle in the House Just follow the rules. You have also every right to speak when your turn comes Why are yon unnecessarily interrupting the speaker The hon Member may kindly conclude withm her time.

श्रीमती सुभद्रा जोशी : विद-इन टाइम कैसे करूं ? अगर ये ऐसे ही रोकेंगे तो मैं कैसे बोलूं ?

तो मैं सदन का ध्यान इस तरफ खींच रही थी, जब इतना बड़ा ऐतिहासिक काम हमारे देश के पड़ोस मे हुआ तो उस तरफ भी इन्होंने हमको विचार नहीं करने दिया। आज इसकी कितनी कीमत है, कितनी बड़ी वैल्यू है दुनिया के सामने। हिन्दुस्तान एक सैक्युलर देश है, यहां का सैक्युलर कांस्टीचूशन है, सबके बराबर के अधिकार है और यह हमारे देश का योगदान हुआ हैं कि हमारे पड़ौस में इस प्रकार की एक सैक्युलर सरकार और सैक्युलर देश बना। पर जिस वक्त यह हो रहा था तो मैं आपकी तवज्जह इस तरफ दिलाना चाहती हूं कि सम्प्रदायिक जमायतें, साम्प्रदायिक तत्व इन चीजों को जनता के सामने आने ही नही देते थे। उनको हमारी आखो के सामने फिरकापरस्ती के चक्कर मे ओझल कर देते थे। जब हमारे यहा एक करोड शरणार्थी आये तो सरकार के सामने और देश के सामने यह प्रश्न था कि कैसे इनको खिलायें, कैसे इनकी परवरिश करें, कैसे इनको बीमारी मे बचाये और कैसे पाकिस्तान के रोष का मुकाबला करें ? उस वक्त ये जमायतें क्या कर रही थी। ये हिसाब लगा रही थी कि जो शरणार्थी आये है, उनमे कितने हिन्दू हैं और कितने मुसलमान है। ये कभी कहते थे कि इतने करोड मुसलमान पहले से हिन्दुस्तान मे बैठे है और इतने करोड और चले आये हैं। कभी कहते थे कि जो मुठ्ठी भर हिन्दू वहा बचे थे, वे भी निकाल दिए गये है। अब तो मौका आ गया है जब कि सारी समस्या का हल हो जाना चाहिए और हिन्दुस्तान से मुसलमानो को निकाल देना चाहिये। जब इतना बड़ा ऐतिहासिक काम आ रहा था तो जनता के सामने भी उस चीज को नही आने देते थे। हमारी वह ताकत जो कि शरणार्थियो की परवरिश करने मे लगनी चाहिये थी, हमारी वह ताकत जो कि देश का निर्माण करने मे लगनी चाहिये थी, वह ताकत इस बात मे लगी कि कहीं ये साम्प्रदायिक जमायतें देश मे दंगा-फिसाद न कर दें। एक तरफ हमने पाकिस्तान का मुकाबला किया और एक तरफ देश के अन्दर इन लोगों का मुकाबला करना पड़ा। इस तरह से जब भी देश पर विपत्ति आई है ये साम्प्रदायिक जमायतें इस किस्म के बखेड़े खड़ा कर देती हैं। जब जवाहरलाल चीन

से लड़ रहे थे तो ये जवाहरलाल से लड़ रहे थे। जब शास्त्री जी पाकिस्तान से लड़ रहे थे तो ये शास्त्री जी को गाली दे रहे थे और जब इन्दिरा जी पाकिस्तान से लड़ रही थीं और बंगला देश के मामले को सुलझाने की कोशिश कर रही थी तो ये इन्दिरा गांधी के खिलाफ़ सत्याग्रह कर रहे थे।

तो मेरे कहने का मतलब यह है कि हमारा सोचने का यह तरीका बिलकुल गलत है। कई करोड़ आबादी को ये बिलकुल घर बिठा देते है ताकि देश की तरक्की मे उनका कोई हिस्सा न रहे। होम मिनिस्टर साहब से मैं पूछना चाहती हूं, जनता भी हमसे पूछती है कि अगर आदमी के कत्ल के लिए किसी को कोई उकसा देता है तो उस उकसाने वाले को भी सजा मिलती है लेकिन ये जो जमायतें हजारो का खून करने के लिए उकसा दें, लाखो को घरो से उजाडने के लिए उकसा दें—क्या सरकार का कोई कानून ऐसा नही हो सकता जो कि इनकी रोक-थाम कर सके। क्या इनकी रोकथाम के लिए कोई कानून नही बन सकता? कास्टीचूशन जब इतनी बार हाउस मे बदला गया है और अगर इसके लिए कानून बनाने की आवश्यकता है और यह उसके दायरे में नही आता तो इसके लिए भी संशोधन करना चाहिए।

सभापति महोदय, यह जो मैने अभी इस हाउस मे अभी जो भाषण हुए उसका जिक्र किया। ये किस तरह की बाते चलाते है, मैं सदन के सामने रखना चाहती हूं ताकि मालूम हो सदन को कि यह कानून इतना आवश्यक क्यों है। ये साम्प्रदायिक जमायतें क्या कहती हैं, मुसलमानों के लिए उनका कहना है—

> दुर्भाग्यवश हमारे देश में हमारे संविधान ने इस धरती के बच्चों और आक्रमणकारियों को बराबर समझा है और सबको समान अधिकार दिये हैं, यह उसी तरह है जैसे कोई व्यक्ति बिना समझे-बूझे अपने बच्चों एवं घर मे घुस आए चोरों के समान अधिकार दे और अपनी सम्पत्ति उनके बीच बांट दे। यही बात हमारे देश में भी हुई हैं। आक्रमणकारियों को भी वे ही अधिकार है जो धरती के बच्चों को।"

वास्तव में सारे देश मे जहां भी कोई मस्जिद या मुसलमान बहुलता है, मुसलमान यह समझते है कि यह उनका आजाद हल्का है। इसका मतलब अप्रत्यक्ष रूप से यह स्वीकार करना है कि देश के भीतर इतने मुसलमान प्रभाव-क्षेत्र है, यानी छोटे छोटे पाकिस्तान हैं। ये प्रभाव-क्षेत्र पाकिस्तान है। ये प्रभाव-क्षेत्र पाकिस्तान प्रेमी तत्वो के इस देश मे व्यापक जाल के केन्द्र है। ये इनके विचार मुसलमानों के बारे मे है।

ईसाइयों के बारे मे आपका कहना है—

> "हमारे देश मे आज रहने वाले ये ईसाई बन्धू न सिर्फ हमारी जिन्दगी के धार्मिक और सामाजिक ढाचे को गिरा देना चाहते हैं बल्कि देश के विभिन्न भागों में राजनीतिक प्रभुत्व कायम करना चाहते है, और ऐसा यदि उनके लिए सम्भव हो तो वे यह सारे देश के पैमाने पर करेंगे। जहा भी वे गये है उनकी यही भूमिका रही हैई—सामसीह की अवतारिक छाया के नीचे मानव जाति के लिये शान्ति एवं बन्धुत्व कायम करने के भ्रामक लबादे को ओढ़कर यह काम होता है।"

आगे आप फरमाते हैं—

> "जब तक ईसाई यहां पर ऐसे काम करेंगे और अपने को ईसाइयत फैलाने वाले

[श्रीमती सुभद्रा जोशी]

अन्तर्राष्ट्रीय आंदोलन का प्रतिनिधि समझेंगे तथा मातृभूमि के प्रति पहली वफादारी जाहिर कर तथा अपने पूर्वजों की परम्परा और संस्कृति के सच्ची सन्तान के रूप में आचरण करने से इन्कार करेंगे तब तक वे शत्रु होंगे और उनके साथ ऐसा ही व्यवहार करना होगा।"

17 Hrs.

और व्यवहार करने के लिए सभापति महोदय, आज इनको पढ़ाने की आवश्यकता नहीं है कि साम्प्रदायिक संस्थाओं का व्यवहार कैसा होना चाहिए। वह व्यवहार करने के लिए लाठियां चलाना सिखाते हैं, छुरे चलाना सिखाते हैं, चाकू चलाना सिखाते है, आज यह दुनिया जानती है। सभापति महोदय, मैं होम मिनिस्टर साहब से दरयाफ्त करना चाहती हूं कि जब ऐसी बातें लगातार कही जायेंगी तो वातावरण देश का कैसा होगा, इसका असर क्या होता है, मैं चाहती हूं कि सदन की समिति खुद इस बात पर विचार करे। जब चौबीसी घटे इस किस्म का जहर फैलाया जाएगा तो उसके बाद सभापति महोदय, क्या होम मिनिस्टर फरमा सकते हैं कि दंगे इसलिए होते हैं कि किसी न किसी पर गुलाल फैंक दिया या दंगे इसलिए होते हैं कि किसी ने होली का रंग फैंक दिया या दंगे इसलिए होते हैं कि रिक्शा पुलर को किराया नहीं दिया, या किराया कम दिया ? तो यह वातावरण दिन-रात देश में दूषित किया जाता है।

एक बात मैं आपसे करना चाहती हूं. सभापति महोदय, एकता हमारे देश के लिए बहुत आवश्यक है न इन लोगो की एकता के बारे मे क्या विचार है ? एकता के बारे में एक साम्प्रदायिक जमायत का कहना है—

"कुछ ऐसे लोग हैं जो घोषणा करते हैं कि उन्होंने हिन्दुस्तान में हिन्दुओं, मुसलमानों, ईसाइयों और अन्य धर्मावलम्बियों के बीच राजनीतिक और आर्थिक धरातल पर एकता हासिल कर ली है। किन्तु सिर्फ वहीं तक एकता सीमित क्यों रहे ? एकता को और व्यापक और विस्तृत क्यों न बनाया जाए जिससे इन सबको हिन्दू जीवन और हमारे धर्म के साथ एकबद्ध कर दिया जाए और उनको फिर खोए हुए बन्धुओं की तरह वापस कर लिया जाए। जो लोग सिर्फ राजनीतिक एवं आर्थिक धरातल पर एकता की बात करते हैं, उनसे हमारा निवेदन है कि हम न सिर्फ राजनीतिक एवं आर्थिक एकता चाहते है, बल्कि सास्कृतिक एव धार्मिक एकता भी चाहते है।"

इस किस्म की बातें ऐसी समाज विरोधी और सांप्रदायिक जमायतें करती है और ऐसी भी जमायतें हैं उनका भी जिक्र न करूं तो सभापति महोदय मुनासिब न होगा। ऐसी भी जमायते है जो कहती है कि जम्हूरियत का कानून इंसान का बनाया हुआ कानून है। इन जमायतों का कहना है कि कानून खुदा का बनाया हुआ होना चाहिए, इन्सान का बनाया हुआ कानून नही होना चाहिए और और ऐसा कहकर कि कानून वही लागू होना चाहिए जो खुदा का बनाया हुआ हो, ऐसा प्रचार करके उनकी कोशिश यह है कि हमारे देश के एक बहुत बड़े हिस्से को दूसरे लोगो से अलग रखें और यह ख्वाब देखते रहे कि कब खुदा का बनाया हुआ कानून आयेगा और वह जम्हूरियत देश की तरक्की में हिस्सा न लें। इस तरह की जमायतें भी हमारे देश की तरक्की के खिलाफ पड़ती हैं और समाज को गिराने का काम करती हैं। मैं आपसे यह कहना चाहती हू कि यह सही है कि सिर्फ सरकार अगर कानून बना दे तो कानून बनाने से ही इसका मुकाबला नहीं होगा, यह मैं मानती हूं कि सिर्फ कानून ही इस बीमारी का इलाज नहीं है, पर मुझे यह कहना

है कि सियासी और राजनीतिक तरीके से इस विचारधारा का मुकाबला करना चाहिए उस बात को मैं मानती हूं, पर सियासी और राजनीतिक लोगों को इन तत्वों का मुकाबला करना है और जनता भी करती है, तो जनता पूछती है उनसे कि आखिर सरकार इन सब बातों की इजाजत क्यों देती है ? क्या सब लोग टैक्स नहीं देते हैं, क्या सब लोग सरकारी कामों में पूरा योगदान नहीं देते है, क्या सब लोग लगान नहीं देते है ? तो फिर क्यों इस बात की इजाजत दी जाती है कि ऐक दूसरे के खिलाफ आंदोलन फैलायें और एक दूसरे को मरवाने की बात करें। तो मैं सरकार से यह निवेदन करना चाहता हू कि राजनीतिक क्षेत्र मे जनता ने फिरकेदाराना जमायतो को जो दो दफा शिकस्त दी है, दो दफा इनका मुकाबला किया है, हमारे देश की जनता ने साप्रदायिक तत्वो, साम्प्रदायिक सगठनो को दो दफा नामजूर कर दिया, दो दफा रिजक्ट कर दिया 1971 म और 1972 मे, तो जनता का अधिकार है और जनता पूछना है कि हमने जब रिजेक्ट कर दिया तो सरकार का इसमे योगदान क्या हुआ ? सरकार ने भी अपना काम किया कि नही। जनता ने नुमाइन्दो को चुनकर भेजा, सरकार को चुनकर भेजा, उन नुमाइन्नो मे जनता को पूछन का अधिकार है कि हमारी सुरक्षा के लिए आपने क्या किया।

मैं अपील करती हू होम मिनिस्टर साहब से कि जनता एक बड़ी लड़ाई मे लगी हुई है, सरकार को भी उस महान लड़ाई मे, उस महान क्रान्ति मे, कानून बनाकर योगदान देना चाहिए और इसके पहले कि जनता कानून को हाथ मे ले, कानून को चाहिए कि वह जनता की मदद करे, जनता का नेतृत्व करे और उन जमायतो पर पाबन्दी लगाई जा सके।

इसलिए मैंने जो बिल यहां हाउस के सामने विचार करने हेतु रखा है, आशा है कि सभा के सदस्य इसका समर्थन करेंगे और इसको पास करेंगे। धन्यवाद।

MR. CHAIRMAN: Motion moved: "That the Bill further to amend the Indian Penal Code, be taken into consideration."

Now Mr Daga—not present. So, his amendment is not moved. Shri Jagannathrao Joshi

श्री जगन्नाथ राव जोशि. (शांजापुर): मैंने प्रारम्भ से इसलिए अपत्ति उठाई थी क्योकि पीनल कोड के अन्दर 153 बी धारा है और उसको जब एमेड करने के लिए, सिलेक्ट कमेटी बैठी थी तो उसका मैं भी सदस्य था। उस समय भी बार बार मैंने यह सवाल उठाया था कि जब वह धारा इतनी ब्राड है तो नई चीजे उस मे जोडने की क्या जरूरत है। इस मे सारी चीजें दी हुई हैं। आप ओरिजनल जो है उसको देखे। उस मे दिया हुआ है :

"by words, either spoken or written, or signs or by visible representations or otherwise, promotes or attempts to promote, on grounds of place of birth, religion, race, language, caste or community or any other ground whatsoever"

इस मे दुनिया भर की सब चीजें आ जाती है। इस वास्ते मैंने पूछा थी कि आप जब ऐमेड करने जा रहे है तो मुझे कम से कम एक दो उदाहरण तो आप दे कि

You wanted to bring the culprit to book, but you could not do because of the lacuna

एटर्नी जनरल को भी वहा बुलाया गया था। उन से भी मैंने पूछा था कि इसकी क्या जरूरत है। उन्होंने भी यही कहा कि वह केवल यह बता सकते हैं कि कांस्टीट्यूशनल है या नही है। मैंने कहा कि आप एमेंड करने जा

[श्री जगन्नाथ राव जोशी]

[illegible] मैं चाहता हूं कि सरकार के पास [illegible] अधिकार होने में साथ ही सरकार को [illegible] इस में कुछ और सुधार चाहिये, तो दो चार उदाहरण तो मिलने चाहियें जिन से पता चल सके कि किसी व्यक्ति को आप पकड़ना चाहते थे, किसी व्यक्ति के खिलाफ आप मुकदमा चलाना चाहते थे लेकिन आप उसको पकड़ नहीं सके इन दी एबसेंस आफ दीज प्राविजंज। जवाब सरकार का यही था कि हमारे हाथ में ज्यादा अधिकार होने चाहियें। अब अधिकार ज्यादा होने से क्या होता है ?

*इस बिल के स्टेटमेंट आफ आबजैक्टस एंड रीजन्ज में दिया हुआ है.*

"The Criminal Law have to be suitably amended to bring within the purview of the law such associations and organisations."

This does not serve the purose

सवाल कानून का नहीं है। सवाल कानून को व्यवहार में लाने का है।

I will quote a specific instance The CPI who is an ally of the ruling party today nas passed a resolution in their Cochin Congress that hereafter the CPI would like to combine ballot with bullet

SHRI S M BANERJEE That is wrong

श्री भोगेन्द्र झा (जयनगर). मेरा व्यवस्था का प्रश्न है। जोशी जी ने एक दल का नाम लिया है जो इस सदन में रिप्रिजेंटिड है। उसके बारे में उन्होंने ऐसी बात कह दी है जो बिल्कुल गलत है और जिस का इस बिल से सम्बन्ध नहीं है। उन्हें ने बैलट और बुलेट की बात कही है। मैं चाहता हूं कि या तो वह इसको साबित करें या इसको वह वापिस ले और क्षमा मांगे। वर्ना यह रिकार्ड पर नहीं रहना चाहिये।

PROF. MADHU DANDAVATE : I think the hon. Member has made a wrong statement. That statement was not from a resolution. It was from a speech of comrade Dange who talked about ballot and bullet.

SHRI JAGANNATHRAO JOSHI : I stand corrected. I read it in the papers. I stand corrected.

जोकुल कर ऐसी हिंसा का प्रचार करते है ...(इंटरप्शन) मैं नहीं चाहता हूं कि इस देश के अन्दर इस तरह की हिंसा का सहारा लिया जाए। हिंसा का यहां प्रचार करने की किसी को छूट नहीं होनी चाहिये। हिंसा का कोई आधार नहीं रहना चाहिये। इसी तरह से कोई वैर द्वेष भी पैदा ना करे, यह भी मैं चाहता हूं। यह चीज देश की प्रकृति से मेल नहीं खाती है

श्री एस० एम० बनर्जी सब साधू हो जायें।

श्री जगन्नाथ राव जोशी: आप देखें कि दीन दयाल उपाध्याय जी का ट्रेन में कत्ल हो गया। कातिल पकड़ा नहीं गया जब कत्ल हो गया तो घृणा तो थी ही लेकिन वह घृणा किस ने पैदा की ? देश के अन्दर घृणा पैदा नहीं होना चाहिये। बार बार और लगातार यह कहा गया है कि आपके पास कानून है और उसके दायरे में आप जिस किसी को चाहे ला सकते हैं तो क्यों नहीं आप उसका इस्तेमाल करते हैं। काश्मीर में क्या चल रहा है। देश की एकता और निष्ठा को चुनौती देने वाले को आपने दिल्ली में किसी मकान में बन्द कर रखा है। दस साल तक पंडित नेहरू ने भी उनको बन्द किया था। जो भी गलत काम करे, उसको सजा मिलनी चाहिये। कानून का राज चले। ऐसा न हो कि हाथ में अधिकार आप लें और जो चाहें करते चले चले जाएं। जोर जबर्दस्ती नहीं चलनी चाहिये। सात जंतर

[श्री अगन्नाथ राव जोशी]

मंत्र पर क्या हुआ, उसको हमने अपनी आंखों के सामने देखा। वहां और जबर्दस्ती हुई।

दिल्ली में ही बड़ा भारी बैंक में फाड़ हुआ।

On the floor of the House, on assurance was given that they would be arrested under IPC 409.

इतना बड़ा भारी फाड़ होने के बाद भी और इतने महीने के बाद भी आज तक किसी के खिलाफ कुछ नहीं हुआ। सवाल कानून का नहीं है, सवाल कानून के व्यवहार का है।

घृणा कौन पैदा करता है? बार बार मैं सुनता आ रहा हूं साम्प्रदायिक संस्थाओं के बारे में। श्रीमती सुभद्रा जोशी ने भी इसका उल्लेख किया और बोली कि यह साम्प्रदायिक जमात है। हम भी जानना चाहते हैं कि साम्प्रदायिकता क्या चीज है। कैसे इसका पता लगे? हमने मांग की है कि साम्प्रदायिकता क्या है, इसको तय करने के लिए एक आयोग बिठाइये, निष्पक्ष अयोग बिठाइये और वह साम्प्रदायिकता की व्याख्या करें।

श्री शशि भूषण मैं इस प्रस्ताव का समर्थन करता हूं। उसकी जो भी फाइंडिंग हो, उसको मैं मान लूंगा। जब ये मानते हैं तो मैं भी मान लूंगा।

श्री अगन्नाथ राव जोशी: यह मांग मैंने प्रधान मंत्री से की है। कोई हिन्दुओं का संगठन करे तो वह गलत नहीं हो जाता है। आप कांस्टीट्यूशन का जो अर्टिकल 25 है उसको देखें:

Article 25 gives the description of a Hindu. The Sikhs are included, the Jains are included, the Buddhists are included.

हिन्दू अगर संगठन करते हैं, क्या यह कहा जाएगा कि वह दूसरों का विरोध करते हैं? तो फिर हिन्दुओं के लिए ही जब यहां कानून बनता है तो क्या वह हिन्दुओं का विरोध नहीं है? इस देश के अन्दर जनता को कोई अधिकार है या नहीं है? पीसफुल असेम्बली, पीसफुल एसोसिएशन, पीसफुल एसोसिएशन का उनको अधिकार है या नहीं है?

भारतीय जनसंघ 1951 से काम कर रहा है। अगर भारतीय जनसंघ साम्प्रदायिक है तो उसके किसी एक भी सदस्य को आप पकड़ कर कोर्ट के सामने क्यों नहीं घसीट कर ले जाते। आपके पास अधिकार है, कानून है, न्यायलय है—

श्री एस० एम० बनर्जी: खींचने के लिए तो कर रहे हैं।

श्री अगन्नाथ राव जोशी: 1954 में आवडी सैशन में आप लोगों ने समाजवाद को स्वीकार किया। जब कांग्रेस के दो भाग हो गए तो आप लोगों ने कहा कि आप समाजवाद लाना चाहते थे, दस सूत्री कार्यक्रम पर अमल करना चाहते थे लेकिन मोरारजी देसाई, पाटिल, निजलिंगप्पा आदि ने नहीं करने दिया। अब कोई समाजवाद का विरोध करे तो इसका मतलब यह है क्या कि वह घृणा पैदा करता है। बैंकों के राष्ट्रीयकरण का विरोध करे तो इसका मतलब यह है क्या कि वह घृणा पैदा करता है। और कई चीजें सरकार अपने हाथ में लेती जा रही है और अगर यह कहा जाए कि फैसिज्म की प्रवृत्ति पनप रही है तो इसका क्या मतलब यह हुआ कि घृणा पैदा की जा रही है?

बंगला देश के बारे में भी आपका और हमारा विरोध रहा है। जरूर हम कर सकते हैं। लेकिन अब भारत जीत गया तो ऐसी बात तो नहीं है कि भारत के अन्दर कोई नाराज है उस

[श्री जगन्नाथ राव जोशी]

बात पर। क्यों आप दुनिया के सामने ऐसी भारत की तस्वीर खींचना चाहते हैं कि यहां कोई नाराज है। देर आयद दुरुस्त आयद। आपने अच्छा किया और उसके वास्ते हमने आपको कांग्रेचुलेट भी किया। युद्ध के वक्त देश ही एक दल होता है, अलग-अलग दलों की हैसियत नहीं होती है। हमारे नेता ने बार बार कहा था कि भारत देश एक दल है। यह हमारे नेता के उद्गार हैं। भारतीय जनसंघ को इस तरह से कोसने से कोई लाभ नहीं हो सकता है। सोच समझ कर, जानबूझ कर जब आप इस तरह की बात करते हैं तो क्या यह घृणा की श्रेणी में नहीं आती है।

गांधी जी की हत्या करने का बार-बार हमारे ऊपर आरोप लगाया गया है। क्या गांधी जी के हत्यारे हम हैं। आप हमें कोर्ट के सामने पेश करें। हम भाग नहीं जाएंगे। क्या आप लोग स्वीकार करते हैं इसको ? ईमानदारी से इस प्रजातंत्र में कोई आपका विरोध करता है तो वह भी आपको स्वीकार नहीं है। आप ने एक रास्ता अपनाया। अब उस रास्ते को कोई स्वीकार नहीं करता तो वह सम्प्रदायवादी हो गया। पाटिल, मोरारजी देसाई इत्यादि जब तक उधर थे तब तक तो ठीक थे और जब उधर नहीं रहे तो सम्प्रदायवादी हो गये, साम्प्रदायिक बन गए, रिएकशनरी बन गए, राइट रिएकशनरी बन गये। इस तरह से सोचने का जो ढंग है वह अच्छा नहीं है।

मैं पूछना चाहता हूं कि साम्प्रदायिकता को तय करने के लिये आप एक निष्पक्ष आयोग क्यों नहीं बिठाते हैं ? यह हमारी मांग है। कौन सा दल साम्प्रदायिक है, कौन सा दल साम्प्रदायिक को बढ़ावा देता है, यह तय किया जाये। इस में अगर आप आते हैं, तो आप फांसी पर चढ़िये और अगर हम आयें, तो हम उस के लिये तैयार हैं। जो भी सजा हो, हम उस को लेने के लिये तैयार हैं। दूसरों को भी इस के लिये तैयार होना चाहिये।

अगर इण्डियन पीनल कोड में संशोधन करना है और इस के अन्तर्गत संगठनों को लाना है, तो उस दृष्टि से यह विधेयक दोषपूर्ण है। जो पहले था, उस में कुछ जोड़ दिया गया है, इस से ज्यादा कुछ नहीं हुआ है। इस लिये इस विधेयक की आवश्यकता नहीं है। 'आन एनी आउंस व्हाटसोएवर' में सब कुछ आ जाता है।

यदि इस बिल को यहां लाने का उद्देश्य केवल इतना ही था कि जनसंघ की आलोचना करनी है, तो उस के लिये काफी समय है। यह प्रजातंत्र है। हम भी आप की आलोचना करते हैं, आप भी कीजिये। आलोचना करने के लिये काफी विषय भी हो सकते हैं। किन्तु साम्प्रदायिकता, घृणा, द्वेष, ये सारी बातें भारत में नहीं है।

जब जवाहर लाल जी चीन से लड़े थे तो क्या हम जवाहर लाल जी के साथ लड़े थे ? जब चीन का हमला हुआ तो स्वयं मैं ने कांग्रेसी मंच पर खड़े हो कर एक कांग्रेसी नेता के साथ बंगलोर में भाषण दिया। हम ने कहा कि यह सवाल जनसंघ और कांग्रेस का नहीं है, यह राष्ट्रीय सवाल है। 1965 में हम ने दिल्ली में जो प्रदर्शन किया, क्या वह शास्त्री जी का विरोध करने के लिये किया था ? हम ने शास्त्री जी से कहा कि देश तैयार है, पाकिस्तान को मुंहतोड़ जवाब दीजिये। जब मुंहतोड़ जवाब दिया गया, तो हम ने उस का समर्थन किया। हम ने उस समय दिल्ली के रास्तों पर खड़े हो कर ट्रैफिक ड्यूटी दी बंगला देश का युद्ध शुरू होने से पहले हम ने यह ऐलान किया था कि 12 दिसम्बर से हम रक्तदान का कार्यक्रम अमल में लायेंगे और हम उस को अमल में लाये

श्री अशि भूषण : इस बिल में भारतीय जनसंघ का नाम नही है ।

श्री सतपाल कपूर (पटियाला) : चेयरमैन साहब, मेम्बर साहब एक पोलीटिकल पार्टी को डिफेंड कर रहे है । अगर वह मानते है कि वह देश मे फिर्कापरस्तो का जहर फैलाने वाली पार्टी को रिप्रेजेन्ट करते है, तब तो ठीक है, वर्ना ये सब बातें रेलिवेंट ही नही हैं । ये सब बातें इरेलिवेंट कह रहे हैं । ...(व्यवधान)...

श्री जगन्नाथ राव जोशी : यह रेलिवेंट इस लिए है कि यह बिल घृणा पैदा करने के खिलाफ है । किन्तु झूट बोल कर यदि आप जनसघ के खिलाफ घृणा पैदा करेंगे तो क्या हम को उस का जवाब देने का अधिकार नही है ? ... ..(व्यवधान) .....मैं बिल्कुल स्पेसिफिकली मांग करता हू कि किसी को साम्प्रदायिक कहने से पहले मत्री महोदय यह आश्वासन दे कि साम्प्रदायिकता को तय करने के लिए एक निष्पक्ष आयोग बिठाया जायेगा । मत्री महोदय बतायें कि जहा जहा भी दगे हुए, भिवडी, जलगाव, राची, जबलपुर और राची आदि जहा कही भी दगे हुए, उन सब मे कौन कौन थे और उन को सजा हुई या नही । वह हम को गोलमोल न रखें । जो गुनाहगार हो, उस को सजा दीजिए—इरैस्पेक्टिव आफ कास्ट, क्रीड, कलर आर सैक्स । ऐसा न कर के केवल आरोप लगाना घृणा पैदा करना है ।

भिवंडी का दंगा हुआ और हम ने मांग की कि उस की जांच के लिए कमीशन बिठाया जाये । क्यों ? क्योंकि प्रधान मत्री से ले कर गृह मंत्री तक ने यह कहना शुरू कर दिया था कि इस में जनसंघ का हाथ है । हम ने कहा कि कमीशन बिठाइये, तब पता चलेगा कि किस का हाथ है । कमीशन की फाइंडिंग्ज नहीं आई और उस से पहले ही किसी का नाम ले कर आरोप लगाना क्या घृणा पैदा करना नहीं है ?

बिल की जो भावना है, वह तो ठीक है, किन्तु उसके अनुसार आपका व्यवहार नहीं होता है । हाथ में अधिकार है, उसको लेकर चाहे कुछ भी करें । जिन लोगों ने भगवान यशु ख्रीष्ट को सूली पर चढ़ाया, सत्य उनके साथ नही था । सत्य यशु के साथ था । यशु चले गये, लेकिन उनके अनुयायी दुनिया भर में फैले हुए है । सत्य कभी मरता नही है । सत्य को रोका नही जा सकता है । इसलिए हम सत्य की खोज, उसका मन्थन जरूर करें । जो भारत की प्रतिमा को दुनिया मे कलंकित करे, जिससे भारत की प्रकृति को लाछन लगे, ऐसी कोई भी बात भारतीय जनसघ कभी भी मंजूर नही करेगा । भारत की प्रकृति और प्रतिभा के हिसाब से भारत की प्रतिमा दुनिया मे जिससे उज्ज्वल दिखाई दे, भारतीय जनसघ पूरी शक्ति के साथ उसका समर्थन करने के लिए तैयार है ।

इसलिए मैं कहता हूं कि इस बिल की कोई आवश्यकता नही है । आर्टिकल 153, एज् सूटेबली एमेंडिड, पहले ही मौजूद है । या तो माननीय सदस्या इसको वापिस लें, नही तो मैं इसका विरोध करता हूं ।

SHRI N. K. P. SALVE (Betul) : Sir, I consider that this Bill deals with a subject which is extremely serious and grave. It is most unfortunate that we should have indulged in any recrimination and mutual abuses, because if we do that, we will not be able to do justice to the debate Shri Joshi expressed some very lofty and noble sentiments while concluding his speech He also quoted the scripture, and said, Christ was crucified for no fault of his, etc I only beg of him and his followers to show a modicum of tolerance, and listen carefully to what we have to say on this Bill and bring about objectivity We want less heat and more light.

Shri Joshi's first objection to the Bill appears to be that the provisions of the Bill do not reach the objects which the mover seems to have in moving this Bill. The objection is that whereas the statement of objects and

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reasons says that "proposed amendments purport to bring within the ambit of this section various organisations and associations which indulge in these activities", the actual provisions would apply only to individuals and not to the organisations. I am not a criminal lawyer and while expressing opinion I hesitate to rush in where angels fear to tread on a point like this. But my respectful submission is that criminal liability is a liability related to individual culpability. You cannot sentence a company or a firm or a sangh to jail. Such things do not happen, But my question to Shri Joshi is this : Never mind whether or not the provisions of the Bill reach the object ; but what about the provisions themselves ? He has said that he is one with the spirit of the Bill. I take it that by approving the spirit of the Bill he does not go into the technical question whether or not the provisions reach the object, but he is agreeable to the provisions of the Bill. If so, I would like him to go through the provisions and state what precisely his objection is to the various amendments proposed to this section which are intended to go the root to arrest, check and penalise certain activities of certain institutions and organisations who may organise movements, drills and other exercises, leading to communal trouble. Individuals may be punished ; group of individuals may be punished. It does not matter whether technically we reach the object or not as mentioned in the statement. If he otherwise accepts that these provisions are proper and they go to check and arrest this type of activities which do foment communal feeling, which do foster communalism in the country, he should have no objection, because he has not stated anything against the provisions as such. I only hope he and his party will in a calm and quiet atmosphere think over the matter and decide what to do" if it is sincere in curbing communal forces.

I have no doubt in my mind that the mover of this Bill is entitled to the highest commendations and encomiums because the Bill does attempt to fill up, according to me, a deficiency in the criminal law of the conntry, which has existed for quite some time in the post-independence period. We have experienced this deficiency and we helplessly witnessed extensive activities of various organisations and institutions, which were directed towards inculcating, towards indoctrinating communal feelings, towards training people to become religious fanatics and taking them to the path of religious intolerance and bigotry. These institutions carried on their activities merrilly and with absolute impunity, as it were, because of the deficiency in the criminal law. The law of sedition covered by section 153A was not adequate to eradicate the evils and it needed to be expanded.

If Shri Joshi feels that the section is not sufficiently expanded, but genuinely wants all these Communal activities to be properly checked, if he wants this type of teaching fostering Communalism in school etc., this type of teaching elsewhere, in the playground of wherever it may be, to be checked, if he does not want our unsuspecting pure young juveniles to be made into fanatics, into dangerous citizens who have no religious tolerance, then let him suggest how this law can be made more stringent. No purpose would be served by shouting at us, because the days of shouting have gone. If they get into the battle of shouts, they will be outnumbered because we are more than 350. But I do not want to rub this point. If Shri Joshi is sincere in this matter, let him tell us in which way we can make the law more stringent and effective so that we can implement it effectively and put a curb on what we want to curb.

SHRI JAGANNATHRAO JOSHI : I have referred to the bank fraud case.

SHRI N. K. P. SALVE : I do not want to talk irrelevance. I would request him to be more objective and throw more light on this. I do not want him to create more heat. If you say one thing irrelevant, another person may say ten things and the whole debate will degenerate into sheer irrelevance. I am concerned with the specific provision sought to be amended in the section. If it is accepted that there are movements, exercises and classes teaching youngesters to become intolerant to other religious and thus bigotry is encouraged, then let him help us in making a proper law so that we will be able to check such movements, such exercises, such drills such lesson and I am sure then we will be able to fill a great deficiency in our criminal law.

The other day in the All India Congress Committee Minority Cell, of which I happen to be a member, we were evaluating and assessing the approach of the minorities in the last general elections to the various Assemblies. A particular member from Kashmir narrated to us his harrowing experience in Kashmir. He brought in the name of a particular institution which I do not want to mention. He said that he does not know from where they get funds, large amount of funds. They have several hundreds of thousands students coming to them, training people into religious fanatics, teaching them the most irreligious things, backed to other religions in the name of religion. Today, with the law as it stands we cannot get at their throat, though such people deserve to be caught and whipped publicly for ruining the juveniles of this country in this manner. They are trading in children ; these children are the stock in trade of these dealers in religion. When they are ruining these children, are we to remain helpless spectators ? Are we to allow these children to be the victims of their unprincipled guiles, their own misguided notions of religion which they are preaching ? If the law stands as it is, we cannot get at them. Unless we amend the law, we cannot get at them.

How are we to curb these activities properly ? How are we going to build secular Indian with such activities going on absolutely unchecked ? The activities I referred to are going on mainly among the Mohammedans of Kashmir When these activities are going on, should we not get at the people who are organising these activities, who are organising this type of exercises, drills and movements, schools which cut at the very root of secularism in the country ? In fact, these activities during all these years stultified and impeded very substantially the growth of secular forces. We have not been able to arrest and check it. One of the reasons for that is that our criminal law has been faulty. It has not been sufficiently deterrent, draconian and stringent to penalise persons fostering communalism. If that is the grievance that Shri Joshi has, we are one with him. At least, once in this Parliament let him come out with a suggestion..... (*Interruption*).

SHRI JAGANNATHRAO JOSHI : Already there is a provision. I specifically wanted the Attorney-General to quote an instance where he wanted to bring a culprit to book but could not do it because there was a lacuna. He is misquoting unnecessarily.

SHRI N. K. P. SALVE : He should not lose his temper. I am not losing mine. In courts, anyone who has a weak case loses his temper and one who has a good case maintains equanimity.

PROF. MADHU DANDAVATE : Light is the culmination of heat.

SHRI N. K. P. SALVE : That is a physicist speaking and not a politician only.

My submission is that there are criminal Communal forces whom we are not able to punish under existing law.

Do we not know of other organisation which is indulging throughout the country in these types of activities ? Do I not know of such institution in my constituency? Do I not know of such institution in my own home town of Nagpur ? We had many training bases of such institutions where people were trained each day. There is a ground in front of my house where young boys gather each day ostensibly for character building. May be some amount of character building is going on. But what does it matter if we train 500 bachelors or *brahmacharies* indoctrinated for practising strict *brahmacharya*, who may practise rigid continence. But if these people went round the country collecting youths and juveniles and teaching them religious intolerance and made them fanatics and in worthy citizens, that would destroy not only secularism but the very foundation of parliamentary democracy. It is worse...(*Interruption*). It is said that this institution is a cultural institution. But what sort of Indian culture is it that it is not open to Mohammedans, Christians ? Is character building not necessary for a Christian's or a Mohammedan's son ? Character building is necessary, according to Indian culture, for anyone who is a true Indian. An organisation, which is engaged only in

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cultural activities, will confine itself purely to cultural activities irrespective of any consideration of caste creed or religion. Politics in the name of culture debares both.

It is said that Jan Sangh is happy at the recognition of Bangla Desh, at the victory and liberation of Bangla Desh, and at India's countribution to the liberation of Bangla Desh. Certainly, you are happy and we are happy except that your reasons are different and our reasons are different. For us it was a different fight; it was a fight against the two-nation theory and for secular ideals which we hold dear. For you, we apprehend, it was a different fight. You wanted an Islamic nation to be destroyed. That has happened and you are happy. Bangla Desh is liberated and, as a result of that, Pakistan is ruined. They have to thank themselves for such ruination. We have nothing to say in the matter. We are only sorry for the people of Pakistan.

As rightly said by Shri Chandrajit Yadav today, we have hardly any animus against Pakistan as such. What wrong have the people of Pakistan done to us ? What did they have in their hands ? They have been victims of a very pernicious system. Reactionary forces have ruled them earlier and afterwards military dictatorship came. We are not happy that we had to teach a lesson to Pakistan, but it was of their own asking.

The moment the liberation of Bangla Desh was achieved, we did not want this war to be continue even a second more. You did not agree with that. All these things take us to believe that your reasons for our victory in Bangla Desh are entirely at variance—in fact, they are contradictory to the reasons, which we cherish, for the liberation of Bangla Desh.

In the last elections I was touring one of the constituencies in Maharashtra, where a Mohammedan candidate had been set up by the Jana Sangh, and I was canvassing support for the Congress candidate. A Chit was sent to me saying that I was trying to portray a picture that the Congress was a party which held the secular ideals very dear to itself and that the Jana Sangh was a communal organisation. I said "I have not said so, but I am only trying to tell you what exactly the Jana Sangh's approach in communal matters; it is not for me to say whether it is a communal organisation or not."

Shri Joshi asked for a commission. I do not think a commission is necessary. The voters are the biggest commission. The people have given their verdict. We do not need any other verdict hereafter.

The people have given their verdict. If you think that your ideal of communalism has not been one of the reasons in your terrible defeat, you may continue to be shameless, as much as you want, and you continue to face defeat. (*Interruption*) Look at your own face: don't fall on our defeat in Goa. How does that help you ? If you want to do introspection, be at least honest to yourself. Don't deceive yourself.

Sir, I did not want to bring in political angle in this matter. But I was narrating that participar instance. A question was asked to me that, "If you are a party which stands for an ideal of secularism, why are you not allowing Bihari Muslims to come back here? If you are not allowing Bihari Muslims to come back here, it only means you are interested in Muslims for their vote, not otherwise. They are pawns in the hands of your party."

I gave the reply that we are not allowing Bihari Muslims to come back because there are many questions involved But I asked one counter question, "Will you ponder over as to what were the forces as a result of which these muslisms left Bihar and went to Bangladesh ? Did we drive them away to Bangladesh at the time of the partition of the country? Who went out murdering Muslims on a large scale". What was the thinking and philosophy as a result of which a saint was killed in the Birla House in New Delhi ? Are we not ashamed of it for eternity ? Are you not responsible for the pernicious philosophy which killed a saint, the biggest stigma on the head of this country ?

My submission is this. In a serious matter like this, we must think in a more objective Terms and be able to reach certain conclusion to fill the deficiencies which

have existed in our criminal law. I only wish to make it clear that we have not the slightest intention of achieving any political ends by this enactment. We do not want to amass more power or to acquire these powers, so that we might politically become more powerful. The opposition should know it better that we fight political battles via the ballot box. We do not fight political battles in such an unscrupulous and up-principled manner. By tradition, our party only knows, so far as political opposition is concerned, to fight it out at the polls. They need not entertain any apprehension at all that there is any political overtone in this type of enactment. If what Mr. Jagannathrao Joshi said was correct that these powers already exist in Section 153A, why is he worried these very powers are being reacquired so that political opposition be crushed ? There is total inconsistency in what he has talked about amandment being purposed to crush opposition.

The liberation of Bangladesh has exploded the myth of two-nation theory. It has proved that the time has come when religion cannot be exploited any longer to mislead the people away from their real problem, of life and living. The real problem of life and living has to be solved. That is the basic problem. However much you try to exploit religion, it is never sustaining. How much economic progress has been impeded by Communal vices ? How many difficulties do we have ? So many factories had to be closed down during riots and tensions. How much public disorder was there as a result of commuual violence which erupted from time to time. The history of communal violence is an eternal shame to this country, the country of Buddha and Gandhi. This violence has to be brought to an end. This violence will never be ended until the very training ground, the very activities, which culminate in such violence is put an end to at the root itself.

SHRI DINESH JOARDER (Malda) : Mr. Chairman, Sir, we appreciate the anxiety of the Mover of the Bill that there exist certain forums in the country based on communal and racial considerations whose activities have been causing apprehension in certain sections of the society. I also agree that these communal and racial activities on the part of any individual or organized body should not be allowed to exist.

We also believe that communal activities not only disturb and threaten public harmony and tranquility but also stand in the way of social and cultural under-standing, national progress and development. These communal activities also pollute the healthy growth of political institutions of the country and also influence, to a great extent, free play of Parliamentary democracy, elections and other political activities of the country.

We have, many times before, demanded stern actions against communal elements and organisations and taking drastic actions against such communal activities. But, Sir, it is the ruling party in India that maintains and nourishes the communal organisations and their activities in the country Whenever the communal organisations have served the interests of the ruling class and their party, they have taken full advantage of them, and many times it is found that the ruling party indulges in communal disturbances in various parts of the country. This is evident from the coalition government in Kerala led by the Congress Party of Shrimati Indira Gandhi, the last democratic coalition government in West Bengal and similarly in many other States where Congress has joined hands with Muslim League and other communal and racial parties. It is under the patronage of the Congress that communal riots, under the banner of Shiv Sena, took place. Whenever and wherever the Congress faced difficulties due to their maladministration and anti-people policies and due to growing struggle and movements of the labourers, workers and peasants, the Congress has manipulated with the help of the vested interests class communal riots to suppress the life-and-death struggle of the millions of the toiling masses. So, even today, communal riots spark out here and there in many parts of the country.

At the time of U. F. Government, in 1969. in West Bengal, we had the sad experience of Congress trying to organize communal riots in Telenipara, Jaguddal, Bagmari and Entally in Calcutta to discredit the U. F. Government. Their attempts were, however, frustrated. Again, in the

[Shri Dinesh Joarder]

Tellicherry communal riot that took place in Kerala, it was seen that riot was allowed to spread due to the callous attitude on the party of Government and also the ruling party and the Congress. It was known, it was apprehended by the people and a section of the people, that something would happen, that the communal riot would occur. This information was given to the Government, but at that time, when the Tellicherry communal riot took place, none of the Ministers took it very seriously or took any action to stop or prevent this communal riot in Tellicherry.

In this context I congratulate the Mover of this Bill, Shrimati Subhadra Joshi, for having come forward with this Bill to do something against such communal activities. But, in any case, in this Bill, I apprehend that the purpose of curbing the communal activities will not be fully served. In this amendment the original clause (a) of Section 153A of the Indian Penal Code has been kept intact. The original clause (b) has renumbered as clause (d) in this Bill. Two new clauses *viz.* (b) and (c) have been added in this Section with a view to bring under the purview of the penal law certain organised bodies whose sole object is to create an order in the country which has for its base purely communal and racial considerations as has been stated in the Statement of Objects and Reasons. But, in my opinion, merely drawing some criminal proceedings in the court against the communal organizations, which proceedings may take years to be disposed off, will not serve the main purpose of the Bill. As we have seen, there are already certain laws enacted and penal provisions are there in many of the penal Acts, but, unless it is seriously applied or the Government seriously want to apply those laws the crimes cannot be stopped.

In other spheres of social and political fields you will allow the communal organisations to function with equal rights and privileges of other secular organisations but you want simply to pick and choose some individual or a group and draw up penal proceedings against them in the courts of law. But this will not alone serve the purpose. Particularly, clauses (b) and (c) of the Bill are very vague and ambiguous. My suggestion is that amending the Penal Code in this fashion will not save the situation. It is required that total banning or stopping of communal activities should be made and, if necessary, the Constitution of India, the Election Laws and other relevant laws also should be amended so that no communal organization or communal body should take part in the body politic of India. This should also be considered apart from Bill. Whatever small the scope of this Bill may be, the ruling Party, taking advantage of the wider implication of the language of clause (b) and (c) of the Bill, instead of using these penal provisions against the danger of communalism, will use it to suppress the mass movements and other political activities of other left parties in the name of or in the garb of curbing the communal activities and also it may suppress its political opponents which will stand as a challenge to the ruling Party. We have seen the role of the ruling Party in applying the Maintenance of Internal Security Act and the Prevention of Violent Activities Act against its political opponents in spite of loud promises on the floor of Parliament.

I lastly once again congratulate the mover of this Bill that whatever small scope it may have, I support the Bill and in a secular State like India it is necessary that all communal activities should be banned and stopped once for all and the laws of the land be amended accordingly, fully and comprehensively.

श्री दरबारा सिंह (होशियारपुर) : चेयरमैन साहब, काफी देर से बहस हो रही है। श्रीमती सुभद्रा जोशी जी ने एक बिल हमारे सामने पेश किया है। जिसके मकसद और अग्राज यह है कि हम उन पार्टीज को जो फिर्केदारी, कास्टीज्म अज किस्म की तंग नजरी पेश करती है उन पर पाबन्दी लगाई जावे। यह एक ऐसा बिल है जिसके बारे में तमाम दोस्तों की राय यह है कि अगर जनसंघ वाले भी बोले तो उन्होंने यह कहा कि बात तो अच्छी है लेकिन इस कानून का इस तरह से तजावज न कर दिया जाये जो किसी खास पार्टी के खिलाफ जाता जाता हो। सी०पी० एम० वाले बोले—बोले तो खिलाफ लेकिन

माना कि यह निहायत जरूरी बिल है, आना चाहिए था। इसलिए सुभद्रा जी हमारे मुबारकबाद की मुस्यहक हैं कि वे इस बिल को यहां पर लाईं। फिर्केदारी हमारे लिए लानत है जिसके कारण इस देश में कई वाकयात हुए जिससे हमारे कदम पीछे रहे, आगे नहीं बढ़ पाये। हमारे बहुत से लीडर्स कहते चले आए कि फिर्केदारी खत्म होनी चाहिए लेकिन इसको कौन कायम करता है। हमारे जोशी जी ने बहुत जोर से कहा कि साम्प्रदायिकता क्या है उसकी कोई डेफनीशन होनी चाहिए। लेकिन इसकी डेफनीशन सरकार क्या करे, डेफनीशन तो लोगों ने ही कर दी है। उन्होंने कहा है साम्प्रदायिक पार्टी को हम वोट नहीं देंगे। उन्होंने वोट नहीं दिए है। उन्होंने किस किस को वोट नहीं दिए। आप अपने दिल में जाकर इसकी नये सिरे से एनालिसिस करें और देखें कि किस-किस पार्टी को वोट नहीं मिले। जो एक्स्ट्रीमिस्ट पार्टी थी ... (व्यवधान) ...

श्री हुकम चन्द कछवाय शराब पिलाकर वोट खरीदे है। ... (व्यवधान) ...

श्री शशि भूषण शर्म नहीं आती झूठ बोलने में। शराब पी है। गोलवालकर से लेकर सारे तुम्हारे नेता और तुम भी शराब पीते हो ... (व्यवधान) ... तुम हमेशा झूठे, बेईमान, शराबी, तुम्हारी शक्ल देखनी नहीं चाहिए ... (व्यवधान) ... मैं आब्जेक्शन करता हूं, सभापति महोदय, इन्होंने कहा शराबी, इन्होंने कहा शराब पिलाकर वोट लिए। ... (व्यवधान) ... आज इसका फैसला होना चाहिए ... (व्यवधान) ...

**सभापति महोदय**: इसका फैसला यहां नहीं हो सकता, आप जानते है शशि भूषण जी। ...(व्यवधान)...

श्री शशि भूषण: ये झूठे, इनके नेता झूटे।

श्री हुकम चन्द कछवाय: तुम झूठे हो। ...(व्यवधान)...

**सभापति महोदय**: एक व्यवस्था के तहत हमको यहां पर चलना है। इसका फैसला शशि भूषण जी, यहां पर नहीं हो सकता।

श्री शशि भूषण: मैं इसका फैसला चाहता हूं, मैं माफी चाहता हूं आपसे इस बात के लिए।

**सभापति महोदय**: यह मौका नहीं है। आप रूल्स को तहत उठाइये इस बात को। .....(व्यवधान)..... देखिए इस डिबेट में यह बात नहीं उठाई जा सकती, आप जानते हैं इस बात को, यह जो बात इन्होंने कही है। ...(व्यवधान)...

श्री शशि भूषण: ये किसी आदमी को कहे कि शराब पीकर आता है तो या तो साबित करें नहीं तो मैं कहता हूं गोलवालकर से लेकर सारे लोग शराबी है।

**सभापति महोदय**: आप बैठ जाइये।

श्री फूलचन्द वर्मा (उज्जैन): जो व्यक्ति सदन में उपस्थित नहीं है उसके नाम पर यहां चर्चा कैसे की जायेगी? ...(व्यवधान)...

**सभापति महोदय**: मेरी अर्ज है जोशी जी आपसे और आप के दल वालों से कि एक गम्भीर चर्चा यहां चल रही है, अगर कोई बात आपको पसन्द नहीं आती तो न आये, आप उसका जवाब दे सकते हैं जबकि आपको मौका आयेगा। ...(व्यवधान)... श्री दरबार सिंह जी।

श्री दरबारा सिंह: मैं ने शुरू में अर्ज की

[श्री दरबारा सिंह]

थी कि जो लोग बोले उनकी हमने डिस्टर्ब नहीं किया और हम नहीं चाहते कि इस परम्परा को इस हाउस में कायम किया जाए। मैं आप की मार्फत उनसे भी अर्ज करता हूं कि आराम से सुनें और अपनी बात बाद में कह लें, उनके पास काफी अच्छे बोलने वाले आदमी है।

तो मैं यह अर्ज कर रहा था कि इस फिर्कें-दारी के ज़हर को फैलाने वाले कौन से अनासिर है जो अब तक मौजूद है? वह अनासिर जो धर्म के नाम पर जहर फैलाते है? धर्म बड़ी अच्छी चीज है। धर्म सच्चाई कहता है, अच्छे काम करने वालो को कहता है, परमात्मा के मानने वालो को कहता है लेकिन धर्म के नाम पर कौन कौन से वाकयात नहीं हुए? मे अर्ज करता हू फिर्के के नाम पर, जबान के नाम पर जो लड़ाई होती है वह कहा-कहा पर, किस-किस जगह पर पिछले साल नहीं हुई? हमने ज़बान के नाम पर लड़ाई होते देखा है। जबान तो एक ताकत होती है, जबान जबान से लड़ने के लिए नहीं होती है। ज़बान बनाने के लिए होती है, जबान काटने के लिए नहीं है। एक जबान दूसरी ज़बान को अमीर बनाती है, कमज़ोर नहीं बनाती। जो ज्यादा ज़बानें जानने वाले है वे ज्यादा अच्छे हैं। एक ही जबान पर रहना कि यही होना चाहिए, इसके वगैर हम कुछ नहीं सीखेंगे मैं समझता हू इससे हम दुनिया मे अपने को बहुत कम अक्ल साबित करने का सबूत देते है। मै इस बात मे ज्यादा नहीं जाता, जबान और दूसरे लिहाज़ से जितनी भी गल्तिया लोगो ने की है उसपर गौर करना चाहिए।

जोशी जी, डेफनीशन के बारे मे पूछते हैं। मैं कहता हूं आपको डेफनीशन कहा पर नहीं मिली? पजाब मे पूरी डेफनीशन मिल गई, एक भी आदमी नहीं आया। क्यो नहीं आया? आप वहां तशरीफ नहीं ले गए। अगर ले गए तो उन लोगो पास नहीं पहुच पाए जिनके नाम पर आप आर्गेनाईजेशन बनाते है। वे कहते है इन्होंने हमे डिवोया है, हमारा काम खराब किया है और इसलिए खराब किया है कि हिन्दू जाति के नाम पर आर्गेनाईजशन बनाई जाये जो यह बात करे और किसी को भी हम देखना ही चाहते। अब अकालियो की हालत आप देख लिजिए, पहले से सरकार कायम थी और एकदम नीचे चली गई। क्यो नीचे चली गई, इसलिए कि उनकी सरकार गलत सरकार थी और कल तक उनकी सरकार थी, आज नीचे चली गई उसका नतीजा यह हुआ कि अन्त मे धर्म की पाड लेने वाली सरकार चली गई। धर्म एक पवित्र चीज है, उसका गलत इस्तेमाल करके वह अपने प्यारको इस तरफ ले गये, ताकत के लिए ले गये, आपने ठीक कहा था।

MR CHAIRMAN: The hon Member may continue his speech on the next occasion.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, April 3, 1972/ Chaitra 14, 1894 (Saka)*

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